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COMMONWEAL

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KIKU ADATTO on 'Middlemarch' and public virtue

BOOKS

PATRICIA A. O'CONNELL on homelessness

RAYMOND A. SCHROTH on Arab voices

WILSON CAREY McWILLIAMS on the Courts and the Constitution

THE ORDINATION OF WOMEN

A definitive word?

AVERY DULLES
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FLEMING RUTLEDGE
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'HUMANAE VITAE' at twenty-six
PAUL MURRAY
THE EDITORS

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CORRESPONDENCE

Rest in peace

Washington, D.C.

To the Editors: Your editorial on the death of Jackie Kennedy ["R.I.P.," June 3] is one of the best short pieces of writing I have seen in years. Seldom has the state of the nation been summed up so briefly and so well. RAYMOND A. SCHROTH, S.J.

Tokyo: Nov. 22, 1963

Tokyo, Japan

To the Editors: Though I might question some of the praise you gave her, I was impressed by your "R.I.P." for Jacqueline Kennedy Onassis. Leaving that aside, let me tell you our side of the story of November 22, 1963.

It was morning; clear sky. I was on the campus of Tokyo University; many students were on their way to classes. Suddenly a ripple of whispers emerged, and then a big wave: "Kennedy is dead."

The news had been transmitted by satellite; in fact it was the first such broadcast from the U.S. to Japan. On that very day the president had been scheduled to send live messages to our people.

We mourned "our" president; he was almost a world president. From our perspective, Truman was the prime author of Hiroshima and Nagasaki. Eisenhower was the commander of the Allied forces that overcame us. We could see Kennedy without bias. And during his three years we could see America itself without prejudice.

KENNOSUKE TACHIBANA

The issue is power

South Bend, Ind.

To the Editors: From my perspective as a Catholic priest, I would like to comment on your June 17 editoral, "Don't Even Think of It." As you point out, the overriding issue concerning women in the Catholic church is equality, not the ordination of women. And equality is not an issue precluded from discussion by Pope John Paul II's apostolic letter, *Ordinatio sacerdotalis.*

In an apostolic letter a few years ago on "The Dignity of Women," the same pope wrote that "[B]oth man and woman are human beings to an equal degree, both are created in God's image." But let us look realistically at how this assertion of equality is lived out in the Catholic church.

In my diocese there is a presbyteral council to advise the bishop. But to be on that council or to be the bishop in charge you must be an ordained male celibate Catholic. On the national level, there is a National Conference of Catholic Bishops. To be a member you must be an ordained male celibate Catholic and consecrated as a bishop. On the international level there are frequent synods of bishops and occasional ecumenical councils. To be a member of a synod or council, you must be an ordained male celibate Catholic, consecrated as a bishop. Finally, whenever a pope dies, his successor is chosen at a conclave attended only by ordained male celibates who have been appointed to the College of Cardinals by a male celibate pope.

If there are female representatives at any of these gatherings, they are carefully chosen women who can only advise but have no power to vote on the issues being decided. At all these levels, all decision making, even on issues involving marriage and family, is made by ordained male celibates.

This male dominance was clearly illustrated at a meeting of cardinals with the pope on June 14 to discuss the forthcoming United Nations population conference. These 114 ordained male celibate bishops voted to "oppose what they portrayed as a pervasive feminist influence at the...conference, saying measures on abortion and women's rights sponsored by the United States reflected 'cultural imperialism'" [*South Bend Tribune*, June 15]. There were no women present to discuss or vote upon the issues.

If you attend Sunday Mass in a Catholic church in most places around the world, you will most likely find that from 60 to 70 percent of those present are women. They sit in the pews while the sanctuary is inhabited by males (now, with the possible exception of an altar girl). Yet all power in the church—the ability to make decisions affecting both men and women—is vested in totally male-dominated councils and other institutions within the church.

There can be no real equality in the Catholic church until women can voice their opinions openly as members of these councils and join the males in decision-making. If the Catholic church addresses the issue of equality and power-sharing between men and women, the ordination of women will become a moot question.

(REV.) EDWARD J. RUETZ

Nixon revisited

Lafayette, Ind.

To the Editors: Allow me to dissent on a number of points made by Joe Lersky about the late Richard Nixon ["Differing Legacies, June 3]:

1. The U.S. "incursion" into Cambodia wasn't secret; it was announced by Presi-

(Continued on page 28)

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COMMONWEAL

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Confronting the horror

Hundreds of thousands of people, most of them unarmed civilians and many of them women and children, have been killed in Rwanda since that East African state descended into chaos in early April. Unquestionably, the slaughter has been genocidal. It also appears to have been well-planned in advance. The killers, members of Rwanda's majority Hutu tribe, are determined to exterminate the minority Tutsi tribe as well as any Hutus sympathetic to the idea of peaceful coexistence between the two historic ethnic rivals. Hutu civilian "militias," led by the Rwandan army, have mercilessly hunted down their Tutsi neighbors. Hundreds of thousands of Rwandans have fled to neighboring Burundi, Tanzania, and Uganda.

Rwanda is in the midst of a civil war. As much as two-thirds of the country is now in the hands of the Rwandan Patriotic Front (RPF), a guerrilla movement largely made up of Tutsis and which is not innocent of atrocities itself. This latest episode in tribal warfare began after the suspicious death of Rwandan President Juvenal Habyarimana, who had been seeking some accommodation with the RPF. The UN, which had several thousand troops stationed in Rwanda to help monitor a tenuous cease-fire, had to pull them out when the fighting started up again in April. In the past few weeks several thousand French troops, under the auspices of the UN, have ventured into parts of western Rwanda in an effort to protect civilians. How effective the French will be is not clear. Historically, France has trained and supported the Hutu-led government, and is viewed with understandable skepticism by Tutsi leaders.

UN Secretary General Boutros Boutros-Ghali has been trying to build a consensus for international intervention for months. The response of the international community has been to avert its gaze. President Bill Clinton, for one, has studiously avoided any suggestion that the United States has a role to play in bringing this moral catastrophe to an end. Meanwhile, the UN has authorized the creation of a 5,000-man "peacekeeping" mission, but this effort has been criminally slow in taking shape.

President Clinton's timidity is not entirely baseless. The UN has been trying to negotiate a resolution to the Rwandan civil war for years. Intervention seems fraught with uncertainty, and organizing an international consensus takes time. Equally important, Rwanda's tragic plight, unlike Bosnia's or North Korea's, is not a threat to American or European security. In addition, the UN's handling of Somalia has made the United States leery of becoming entangled in a humanitarian effort that cannot be easily disentangled from longstanding tribal enmities. Finally, if there is good reason to intervene militarily in Rwanda, then what about the Sudan, Angola, Liberia, Bosnia, Georgia, East Timor, Afghanistan, etc., etc.?

As reasonable as these apprehensions are, it is equally clear that swift interven-

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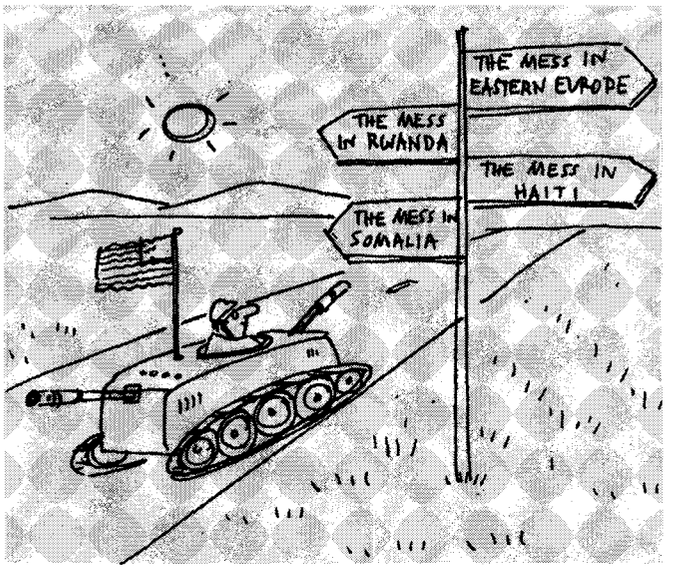

tion could have saved tens of thousands of lives without posing any significant danger to a professionally deployed UN force. As the success of the U.S. famine-relief mission in Somalia demonstrated, the commitment of overwhelming military force to protect and feed civilians can work. The will to act, not the know-how, is the crucial missing ingredient in Rwanda.

What the post-cold war world needs, as former UN Undersecretary-General Brian Urquhart has argued (the *New York Review of Books*, June 10, 1993), is a standing UN military force—one not sporadically and grudgingly drawn from the armies of member nations. Such a force, under the authority of the Security Council, could be rushed into action to prevent the mass killings epidemic in an increasingly unstable world. Is there any other plausible alternative?

IT STILL DOESN'T SCAN

In his article in this issue [pp. 14-18] expounding the strengths of *Humanae vitae*, Paul Murray writes with a certain authority not available to the author of the encyclical. He is emphatically not a celibate. He and his wife have lived and taught the regimen, natural family planning, that he proposes as the way to achieve the ideals of married love set forth by Paul VI. Thus he can write about sex with knowledgeable passion, and that's a large plus. Another is his irenic tone, a welcome contrast to the prosecutorial approach so often in play on this topic.

On matters of substance, Murray is right that *Humanae vitae* shows real appreciation for the goodness of marital sexual communion. Both Pauls are right in contending that the most-used methods of birth control make sinning against chastity easier (in a way that NFP does not); and that widespread unchastity has corrosive effects, spiritual and social. And they are right to condemn the "contraceptive ethic," if by that is meant a hedonistically inspired rejection of the deep and truly natural connection between making love and making babies.

On other points, we are not persuaded. First, has the spread of contraception fostered disrespect for women, as Pope Paul said it would? Maybe so, in individual cases. But, though the cause of women's rights still has a long way to go, not least in the Catholic church, the global reality is that more women today claim the respect due to them, and more men support their claim, than was the case when Paul wrote.

More centrally, we reject the absolute moral distinction our author makes between NFP and "artificial" contraception. When the rhythm method was the Catholic way to space births, there may have been a reason of sorts for saying that intercourse using the method was "open to the transmission of life"—the same reason the method was called "Roman roulette." It was a gamble—for many, a very serious one—and the odds weren't great. Today, proponents of NFP, because of medical and technological advances, claim for it an effectiveness rivaling that of other means. Like those other methods, NFP is meant to be, and is, a means of preventing the transmission of life. How can that reality be passed over? At another level, how can this tenuous philosophical distinction be an intellectually responsible guide for consciences, a litmus test for church appointments, a fixed criterion for setting Vatican policies on population issues?

We don't find answers in Paul Murray's text, but there may be a subtext—if not in his mind, then in long-held Catholic attitudes toward sex. NFP requires continuing sacrifice. Exacting the price of suffering for the joy of sex is an old habit of ours. But even romantics know that sex and suffering are already linked; this wild animal drive brings pain enough without any need to up the ante. The church teaches restraint: how and why to say No. It should also ask us to say Yes when Yes is the right answer.

NOTEBOOK

'SAFE, LEGAL, RARE'
MAKE IT REAL

The letter from John Tomasin appearing in this issue [page 29] is a response to a letter of my own, [*Commonweal*, May 20] which was a response to a letter from my congressman, which was his response to an earlier letter of mine taking issue with his support for the inclusion of abortion funding in health-care reform. Of the making of many responses there is no end; not where abortion is concerned. If you've absolutely had it with the abortion debate, you are allowed to skip over this piece—though I *think* it *may* say something *slightly* new. If you're going to read it, however, please read Mr. Tomasin first.

First, old ground: the nature of abortion. To Tomasin, and

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those many Americans who think with him, it is "quite clear" that the product of conception is no more than a mostly featureless group of cells of no greater significance than we would give to a carbuncle. If this is true, it follows that abortion poses no serious ethical problem. But for many other Americans the conceptus is a human being, or at the least a "potential" human being: either a baby or a baby-on-the-way. If that is true, this particular clump of cells is not so easily expendable.

Which view is correct? Who can decide? Not the Supreme Court; finding no consensus on the question among "those trained in the respective disciplines of medicine, philosophy, and theology," the Court decided the issue before it in *Roe* v. *Wade* on other grounds. It discovered (or created) a constitutional basis for leaving the abortion decision to individuals and for denying legislators any significant role in the matter. Today, dissensus still reigns; no method of philosophic argumentation or scientific demonstration has been found that can prove either definition of the embryo to the satisfaction of people on the other side of the debate. In fact, it strikes me that few people are arguing this central issue; the debate is mostly about motives. Thus, Tomasin suggests that many who oppose abortion actually want poor women to suffer. Some prolifers say their opposite numbers trivialize abortion in order to legitimize a technological quick fix for an inconvenient problem, whether personal or societal.

No doubt points can be scored on both sides of this slamming contest, but I don't want to join it (not here, anyhow). I do want to point out that whichever side is right about the ethical question, the political issue remains, and becomes more contentious in the wake of the proposal to provide federal subsidies for abortion. That proposal abandons any pretense of maintaining the stance of governmental neutrality toward abortion mandated in *Roe* v. *Wade*. It puts the federal government, and all taxpayers, on one side of an unresolvable issue that is a matter of conscience for very considerable numbers of Americans.

On societal aspects: Tomasin is certainly correct in saying that the question is more complex than my response to Congressman Nadler suggested; abortion policy necessarily raises not only issues of personal ethics but also problems of social justice. *Roe* v. *Wade* made abortion on demand the law

Poets just eat their hearts out

Fifty years after the Normandy invasion, and during the pomp and circumstance of the recent D-Day celebrations, the demise of poet William Everson (1912-94) seemed imperceptible, like the quiet leap up stream of the salmon and steelhead at Kingfisher Flat, California, the old fish hatchery at Swanton, now Davenport, down the road from Santa Cruz, where the poet lived during the last two decades of his life. Everson represents a silent group who refused induction during World War II, and whose beliefs made them COs (Conscientious Objectors), serving their time at Waldport, Oregon. Everson was joined by a community of artists, including Morris Graves and printer Adrian Wilson. These latter achieved renown in their own right.

Although his original mentor was poet and essayist Kenneth Rexroth in San Francisco, Everson sprang forward as one of the new poetic voices of his generation, following in the Robinson Jeffers tradition. He also achieved great success as a printer. His incomplete *Novum Psalterium PII XII* (Pius XII Psalter) is considered one of the two or three finest examples of handpress printing in American history. But the life of this gentle Whitmanesque-looking poet was not without conflict. His CO status; his conversion to Catholicism; his service as Antoninus, a Dominican brother for nineteen years at Saint Albert's Priory, Oakland, California; his dramatic separation by disrobing from the Dominican Order to marry at a December 7, 1969, reading before a capacity crowd at the University of California at Davis; and his three marriages were filled with irreconcilable tensions—complexities that often baffled his closest friends. Yet, it was out of these tensions that Everson produced his erotic-mystical poetry, and searched for the archetypes of his deepest self and those immutable poetic and literary sources of California and the Pacific Coast.

His last major writing and printing venture was in 1984, when, along with Adrian Wilson, he published in a numbered and limited edition the first of ten projected cantos of his life: *In Medias Res. Canto One of an Autobiographical Epic: Dust Shall Be the Serpent's Food* (Black Sparrow Press). Ironically, Everson details his role in the war in what is perhaps the greatest tribute by a CO to those who served in the D-Day invasion:

For beyond the Sierras lay a continent,
Crouched like a beast, a giant cougar
Tensing to spring, and out of that tension
The nation, its nerves coiling for the final drive,
The war sweeping toward apotheosis,
The mighty Nazi war machine
Beaten to its knees, breaking, fragmenting,
Thrown back on every front,
Europe convulsed in a tentacular paroxysm,
The powerful American sweep
Thrust deep in its vitals, boring remorselessly in,
And I, remote from it, watch and wait,
Suffering in the soul what it suffers in the flesh.

In a March 9, 1985, interview at his home in Kingfisher Flat, Everson defined for me his vocation as a poet: "Old poets never die. They just eat their hearts out." This CO, monk, printer, poet, and man of marriage will not easily be forgotten.

ALBERTO HUERTA

Alberto Huerta, S.J., is associate professor of modern and classical languages at the University of San Francisco.

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In keeping with *Commonweal*'s usual schedule, only one issue is published each month during July and August. The next issue will be dated August 19.

of the land—except, as Tomasin says, for women who can't afford an abortion, with the result that some women are forced to bear children they don't want and can't adequately care for. In the June 13 *New Republic*, the ardently prochoice columnist Michael Kinsley gives reasons to doubt that the numbers of such women are large. But the question is still more complex. Neither Kinsley nor Tomasin adverts to the situation of poor and pregnant women for whom abortion is a sad choice—even an evil one—but who nevertheless submit to the procedure as the only way they can find out of a situation they experience as intolerable. In both kinds of cases poverty exerts a near-coercive force; the choice is not "purely voluntary." In the second group of cases, it would not become any more voluntary if the government subsidized abortion for those unable to pay.

Neither is the decision purely private. Most women who are poor don't just "happen" to be poor. The gross disparities of wealth, income, and security that persist in our society result from human choices for which, to one degree or another, we all bear responsibility. Thus, a pregnant woman who faces this "most intimate of decisions" but lacks a decent place to live, can't get regular medical care, gets no help from family or spouse, can't qualify for a job—in short, has no reason to hope—is not a free person.

Apart from continuing the polemical battle, is there anything else to consider? Do people like Tomasin and me have anything more to say than to question one another's motives? Speaking only for myself, I might be able to buy into President Bill Clinton's sloganized intention of making abortions "safe, legal, and rare"—provided there were adequate signs of a serious program to make the slogan real.

No signals to that effect are coming from the White House. The administration's minimal-to-moderate proposals for changing the economic rules that guarantee the persistence of poverty have been mostly stymied in Congress. Apart from social reforms, making abortion rare (what's "rare"?—there are more than 4,000 a day now) would surely require regulatory measures (e.g., making sure that the abortion decision is truly an informed one) that neither political party has yet embraced.

There is, however, something to talk about: In the same June 13 issue of the *New Republic*, Fred Barnes reports that William Kristol, formerly Dan Quayle's chief of staff, and George Weigel of the Ethics and Public Policy Center are hoping to persuade the GOP to adopt a new strategy on abortion, one that backs away from the hard-line, unenactable 1992 platform demand for a human life amendment banning all abortions. Instead it offers a position "that recognizes the need for an extensive and ongoing process of public persuasion, and one that provides care, assistance, and alternatives to women caught in the dilemma of unwanted pregnancy."

Far from being a radical call for overall reform of our unjust class structure, the Weigel-Kristol strategy is a modest one. Obviously, it would confer no status on the embryo or fetus; just as obviously, it would be fairer to poor women (and costlier) than granting subsidies only for abortions. But it's much too early to say whether any such proposal will make headway.

Realistically, then, the prospect for compromise and progress on the issue is dim; the best prolife forces can hope for at the moment is defeat of government funding for abortions, a hold-the-line position. In both prolife and prochoice circles, however, there are those who worry about the plight of poor women—whether or not they are pregnant—and about the poor in general. May their numbers increase. If Tomasin will consider whether, even granting his premises, coerced motherhood is any greater a moral horror than coerced abortion, perhaps he will address the full complexity of the issue and concern himself both with making choice more truly free and with making life more worth choosing.

ROBERT G. HOYT

OF SEVERAL MINDS Sidney Callahan

TWO BY TWO

THE CASE FOR MONOGAMY

Polygamy is better than monogamy, said a fourth of the adult students in my Bronx evening class! The most vocal advocate of polygamy was an intelligent young woman who had immigrated from Nigeria. She was aided and abetted by male students who were sympathetic to Islam and the Muslim custom of allowing four wives.

As the in-class debate raged on, I saw a new challenge of multiculturalism before us. African bishops are not the only ones who must argue for the hegemony of monogamy. Here in the United States we may yet confront a resurgence of claims for group marriage. Some unreconstructed Mormons have never accepted imposed monogamy and a growing number of immigrants and homegrown secular liberals might agree with them. Could an ACLU-Mormon-Muslim coalition successfully challenge our civic and religious commitment to monogamy?

How do we mount "a monogamy offensive" capable of convincing doubters? Or—to be more honest in the face of our terrible divorce statistics—how do we keep our present system of "serial monogamy" in place? Those like myself who favor monogamy and yet have been willing to extend marriage to homosexuals have a special challenge. Already sev-

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eral opponents (all male) have figuratively flung down the gauntlet at my feet. A gauntlet, you may or may not remember, is a medieval mail-male glove that was hurled at enemies to provoke combat.

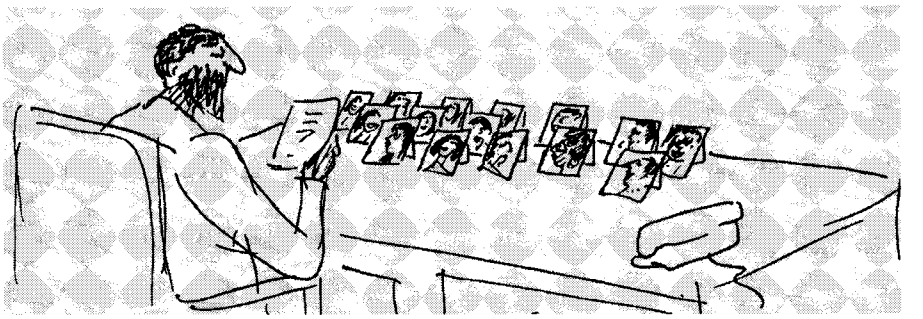
"Well, Sidney," say my attackers, euphemistically called "conversation partners" in PC speak, "if you're ready to give up the traditional requirements of heterosexuality for marriage, how can you not allow marriage between three or four or more? Why only two?" Somehow these fellows think that once you breach the dike of gender, no pun intended, monogamous marriage itself will be swept away in a flood of permissiveness.

But I've never found unsupported slippery-slope arguments very convincing. Why should we absolutize traditional customs when so many of them, i.e., abortion, war, and exploiting the poor, cry out for change? More reasonable arguments for privileging monogamy in our civil society can be made, even without turning to Christian belief. Bottom-up arguments support the institution of monogamous marriage.

Social scientists, for instance, who study group process, find a vast difference between dyads and all other numerical combinations of human relationships. With each member added to a group there ensues a geometrical progression of potential interrelationships: with three there are nine, with four, twenty-four, etc. The really BIG move, however, is from a two-person relationship to three or more. Where there are only two persons in a relationship there exists only one symmetrical mutual relationship.

This boundedness as a unit is why dyads gain their strength and intensity as psychological bonds. There is no third party to break open or diffuse the one-to-one focus and mutual dyadic interaction. Two persons can become united as one in a way that is impossible for three or four persons. Attentional focus in a dyad cannot so easily be distracted from the other, nor in a dyad can two or more persons gang up on one party.

The symmetry of a monogamous dyad works toward the equality of those in the relationship because there must be constant give and take in a bounded unit, particularly if it continues over time. This is why



feminists for the most part have advocated monogamy; women in this kind of marital unit have more of a chance to achieve parity when they do not have to compete with other wives, concubines, or lovers.

Of course some women within polygamous societies will defend their familiar system. My Nigerian student claimed that one of the advantages of polygamy was that your husband was more apt to leave you alone, and so be less of a bother! But she did admit the oppressive pressure on women to procreate in order to be validated, as well as the existence of other family tensions over whose children or which siblings will be favored. Cultural observers have always noted that any competition for resources works against women and children.

In the long run, taking into account some of the testimony of sociobiologists, I do not think it an accident that pair-bonding has been the winner in evolutionary selection when offspring require concerted care and parental altruism. Two bonded mates working full-time for their mutually shared progeny produce more survivors. And with *homo sapiens* you have an extended socialization period of dependency (thirty-plus years?) along with capacities for foresight, promises, imagination, language, and intense emotions. Love, intimacy, kinship, and attachment to others constitute the human condition. If the most intense and complete psychosocial bonding, attachments, and intimacy are made possible by pair-bonding, along with positive social consequences, then there will be a valuable species-specific predisposition for marriage and monogamy.

When two people are limited to a monogamous dyad in space and through time any emerging problems or challenges in the relationship cannot easily be avoided; they must be worked out within the union. But conflicts and challenges that are overcome can be incorporated into a single history or narrative that builds up strength and enduring stability—or at least increases the force of inertia.

Human sex also differs from that of other primates because self-consciousness makes it possible to integrate sexual drives for the pleasure with intense emotional attachments, intimacies of communication, and mutual social exchanges. One psychologist has even suggested that changes in evolution which afforded face-to-face postures during sexual intercourse helped human consciousness evolve, since being passionately aware of another increases awareness of one's self. Delighted mutual eyegazing during face-to-face monogamous mother-infant nursing must serve the same purpose, say I, with a shudder at what it must be like to nurse twins or triplets.

Third parties not only diffuse intimate unions, but the sexual choice of one sexual partner means the rejection of sex with another. The intense jealousy that appears when one's partner sexually chooses another arises not only from sexual deprivation but from the fact that the beloved's gaze, interest, and desire are turned away toward the one preferred. Completely self-disclosing conversations or pillow talk cannot be held with two lovers at once. Someone will be relegated to the periphery.

Those who might aspire to the simultaneous couplings depicted in Indian temples or in open marriage orgies have other problems. Which partner(s) does one attend to? Group sex and/or casual promiscuity can only serve individual sexual pleasure that must be dissociated from mutual tenderness or loving social and personal bonds. These efforts to iso-

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late and exalt sexual pleasure end in emotional and erotic burnout as well as social debacle.

No, no. As embodied beings programmed for deeply intimate attachments and passionate bonding, we are made for marital monogamy and monogamy is made for us. Persons do not have to be sexually active or marry, but when they do it should be a face-to-face, one-on-one commitment with all group marriages forbidden. For the sake of human flourishing we should continue to privilege monogamous marriage. Two by two we go into the ark if we want to get a view of the rainbow. □

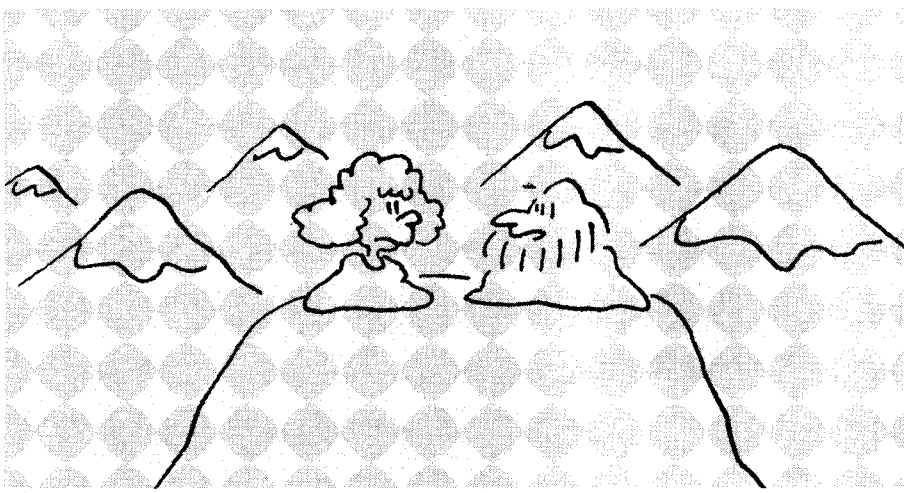
OF SEVERAL MINDS John Garvey

ORDAIN WOMEN?

ORTHODOXY SAYS NO—BUT LET'S TALK

The issue of women's ordination, never as simple as people on either side of the question would like it to be, has been further complicated by a recent statement of Pope John Paul II. *Ordinatio sacerdotalis* was no doubt intended as a contribution, a help; indeed, the pope says that it was issued to remove all doubt: "Wherefore, in order that all doubt may be removed regarding a matter of great importance, a matter which pertains to the church's divine constitution itself, in virtue of my ministry of confirming the brethren (cf. Luke 22:32) I declare that the church has no authority whatsoever to confer priestly ordination on women and that this judgment is to be definitively held by all the church's faithful."

It isn't that simple, not for those of us who are not Roman Catholic, and most definitely not for a great many millions of Roman Catholics, who have seen previous popes declare with equal certainty that all of those not in communion with the Roman See are damned. The statement will certainly not end discussion of the issue. In his statement about *Ordinatio sacerdotalis*, Archbishop Rembert Weakland of Milwaukee speaks of his own "inner turmoil" at the pope's decision to issue such a statement; his turmoil is certain to be shared by millions of Catholics. Although many will be disturbed by the opposition to women's ordination itself, at least as many may be bothered by the tone, and by the assumption that a ruling of this sort settles an issue, even (as here) without anything approaching a serious argument.



"But, enlightenment is men's *work!"*

In the course of his response Archbishop Weakland said something that interested me: "The Orthodox churches may agree with the pope on the question at hand, but are usually shocked when the pope teaches the bishops and does not speak in union with them." The question, again, is partly one of tone; but tone reflects something deeper, namely the pope's sense of what his role is, as bishop and pastor.

The pope's letter made me think of the current state of the question, and the debate, within Orthodox circles. We are widely considered the most conservative party in the debate, and if conservatism is given its richest sense I suppose we are. But one other thing also characterizes Orthodoxy: a belief that free assent to its teachings is essential. External assent doesn't matter, if internal assent is absent, and assent simply cannot be compelled or ordered. This is not to say that Orthodox always live up to this ideal; I have met Orthodox who, in their authoritarian yearnings, make John Paul II look like Bishop Spong. But in Orthodoxy the ideal, based upon the belief that the Holy Spirit's guidance is present in the fullness of the church, has been an agreement among the faithful, a consensus about the church's understanding, articulated by the bishops but not limited to episcopal or conciliar authority.

This looks shaky to Catholics used to a central headquarters and a final, unchallengeable doctrinal bottom line; it has served us well for two thousand years, however. It seems to work, though it has its ragged edges. So does a strong central papalism, which leaves Catholic theologians having to cope with statements handed down as unchallengeably true, only to be reversed in subsequent years.

Many Orthodox have come late to the question of women's ordination, and quite a few of them act as if it were not a question for us, but only a problem currently bedeviling the hopeless Western churches. This ostrich approach has been challenged by the fact that this issue is, like it or not, being discussed seriously among the Orthodox as a question facing us as well as the Western churches. The ordaining of women as deacons (something the church did—more commonly in the East than in the West—during its first cen-

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turies) is currently advocated by a great many Orthodox, and a smaller but significant number of Orthodox have defended women's ordination to the priesthood.

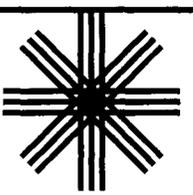
Metropolitan Anthony of Sourozh, known to many American and British readers as Metropolitan Anthony Bloom, has given his blessing to the work of the Orthodox theologian Elisabeth Behr-Sigel, who favors women's ordination. Father Thomas Hopko, dean of Saint Vladimir's Seminary, who opposes the ordination of women, wrote a gracious introduction to Behr-Sigel's *The Ministry of Women in the Church* (Oakwood Publications, 1991). A recent issue of *Saint Vladimir's Seminary Quarterly* dealt with the question, and one of the contributors, patristics scholar Sister Verna Harrison, has also contributed a good essay on the current state of the question to the British journal *Sobornost*. Though there are exceptions, what impresses me is that the discussion among the Orthodox has, for the most part, been conducted calmly, without anger.

The decision by the Church of England to ordain women led approximately a hundred Anglican clergymen to explore the possibility of a move to Orthodoxy. What is interesting is that in its response to the Anglican church's decision a pan-Orthodox committee of bishops in Great Britain made a point of saying that "opposition to the ordination of women is not in itself sufficient reason to be received into the Orthodox church." Although the bishops made it clear that they would counsel and guide anyone with a genuine interest in Orthodoxy, they would not actively proselytize among non-Orthodox Christians, and hoped, despite what seems to be an insurmountable divide, to continue to enjoy close relations with the Church of England. This is a contrast to the welcome offered by some Catholic bishops, apparently encouraged by Rome, to those Anglican clergy and laity who are opposed to women's ordination.

One area of agreement between those in favor of the ordination of women and those opposed is that if there is a sound reason for excluding women from the priesthood, it must be articulated much more clearly than it has been to date. Orthodoxy is, of course, profoundly traditional. Tradition is considered the language of the Holy Spirit in the church (and must be distinguished from many traditions which are far from central), so the fact that women have not been ordained as priests itself carries a great deal of weight. But the church's traditions can and must make some sort of sense; "it's always been that way" is not a sufficient explanation. The symbols of the church must communicate, and not obscure, the message of the gospel.

On the other hand, these symbols are not arbitrary. Those who oppose the exclusion of women from the priesthood see it as a question of something that evolved as a discipline that might be changed (like certain liturgical practices, or fasting rules); for them the ordination of women is a matter of fairness and justice. Those who oppose the ordination of women believe that the church's language and symbols may not be changed in response to cultural or political pressures. The church cannot stop referring to God as Father, or Jesus as God's Son, simply because this might look patriarchal to some people. It cannot substitute other elements for bread and wine in the Eucharist, or water in baptism. Opponents of women's ordination see an exclusively male priesthood in the same terms: the central symbols are not arbitrary, or ours to change. This is what the pope means when he quotes the declaration *Inter insigniores*: the church "does not consider herself authorized to admit women to priestly ordination." (There is, on the face of it, something ironic in that "herself.")

I have mentioned the calm that generally marks the Orthodox discussion, as compared with the way the subject has been dealt with among Protestants and Catholics. There is a perception—right or wrong—among the Orthodox that disorder and trendiness rule the roost among the Western churches, and questions of theology have become indistinguishable from questions of politics and culture. The connections between these realms are undeniable; that they have become practically interchangeable is alarming. Those Orthodox who disagree with the tradition of ordaining only men also understand that the question does not have to be resolved next week; if it can be done, which is still an open question, it will be done only when there is truly a common mind. This common mind is not something that can be brought about by a majority vote; nor can it be forced by a verdict from on high. It must be arrived at over time, prayerfully, and without anger. □



THE GRAYMOOR PRIZE

The Friars of the Atonement announce the fifth annual Graymoor Prize, to be awarded for the best essay on any aspect of ecumenical or interreligious affairs. Original and unpublished essays of approximately 2,500-4,000 words should be submitted to the editors of COMMONWEAL. The winning essay will receive a prize of $1,000 and will be published in COMMONWEAL.

Deadline: October 3, 1994. Announcement of Prize: December 16, 1994. The prize-winning essay will be published in COMMONWEAL's January 13, 1995, issue. This essay will become the property of the Graymoor Ecumenical & Interreligious Institute. All other essays will be returned to their authors after January 1.

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WOMEN'S ORDINATION

SIX RESPONSES

AVERY DULLES
REGINA PLUNKETT DOWLING
CATHERINE MOWRY LaCUGNA
FLEMING RUTLEDGE
ROBERT P. GEORGE
SARA MAITLAND

Avery Dulles

The question of women's ordination, unavoidable though it was, became acute as a result of recent changes in Protestant and Anglican polity. John Paul II, to all appearances, wants to prevent the Catholic church from being torn apart by this issue as the Anglican communion has been. He may also be anxious to reassure Anglicans who are thinking of leaving their own communion over this issue that the Catholic church is not likely to follow suit. Ecumenically, he is concerned with cultivating closer relations with the Orthodox, who reject any feminine priesthood. And of course he has strong convictions about the nature of priesthood and the roles of men and women in the church.

For these or similar motives the pope issued a short apostolic letter, *Ordinatio sacerdotalis*, dated May 22, 1994. Here, in virtue of his ministry of "confirming the brethren," he declares "that the church has no authority whatsoever to confer priestly ordination on women and that this judgment is to be definitively held by all the church's faithful." Following Paul VI, John Paul II relies primarily on arguments from authority: the example of Christ in choosing his Apostles, the constant and universal tradition of the church (not only Catholic but also Orthodox), and the recent teaching of the magisterium. He mentions also that the Apostles, imitating Christ, chose only men as their successors in the ministry. This final argument depends somewhat on one's interpretation of the New Testament data, but it seems to hold regarding the offices of bishop and presbyter, which are here in question.

The pope alludes in passing to "other theological reasons." Very likely, he has in mind the "iconic" argument that only men can properly represent Christ at the altar, acting *in persona Christi*. In *Mulieris dignitatem* (1988) he treated the anthropological and ecclesiological aspects of the question in the perspectives of a rich theology of creation and redemption. Such reasoning, based on the very nature of priesthood and human gender differences, can help to show that the action of Jesus and the tradition of the church were not dictated by sociological factors but belong to the permanent constitution of the church.

These theological arguments, intended to give added intelligibility to the evidence from Scripture and tradition, do not preclude all possible objections. It would be excessive to demand apodictic proofs for the church's teaching on this, or other, matters. Few, if any, doctrines of the faith can be ultimately confirmed without reliance on arguments from authority.

A few critics have expressed regrets that the pope did not choose to speak in unison with the bishops. But the pope is always free to exercise his ordinary magisterium as successor of Peter and pastor of the whole church (*Lumen gentium,* 22). I have no doubt that some consultation with bishops did precede this statement. The development of a common statement from the universal episcopate would have been a long and cumbersome process.

In *Ordinatio sacerdotalis* the pope refrains from proclaiming a new dogma, as he might have done had he felt it opportune. Instead he confirms by his apostolic authority a tradition that he takes to be already binding, for the reasons mentioned above. He accordingly declares that his teaching is "to be definitively held"—an expression normally used since Vatican II (*Lumen gentium,* 25), and presumably also in the present document, to designate the kind of assent that is owed to irreversible Catholic teaching.

From the pope's assertion that the reservation of priestly orders to men pertains to the divine constitution of the church, one may infer that he regards it as contained in the deposit of revelation and as pertaining to the apostolicity of the church, which we confess in the creed. But since the doctrine has not been clearly defined by an infallible exercise of the magisterium, those who deny it are not to be accused of heresy (canon 749, #3). Even if revealed, it ranks relatively low in the hierarchy of truths.

Can Catholic theology treat the question as an open one? In view of the supreme teaching authority of the pope and the forcefulness of the present declaration, I would judge that theologians are no longer free to advocate opposed positions. While legitimate questions can be asked, Catholic theology cannot responsibly contradict the official teaching on this point.

The recent pronouncement has provoked dismay in some circles, in which the ordination of women is regarded as a matter of justice and equality. Conscious of this difficulty, the pope devotes three paragraphs of his short letter to the reaffirmation of his unwavering position that men and women have equal dignity before God and that the role of women in the life and mission of the church is absolutely irreplaceable. Since the letter was issued, a large number of bishops in the United States and Canada have echoed this concern. Archbishop Rembert Weakland of Milwaukee, dissatisfied with current solutions, issued a moving *cri de coeur*, asking how he can communicate the present decision to women who feel marginalized in their church. He puts his finger on a pastoral concern that should be taken with the utmost seriousness. (Archbishop Weakland's response is printed in the June 17 issue of *Commonweal*. It may

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also be found, together with six other statements by North American bishops, in the June 9 issue of *Origins*.)

It would be futile and counterproductive for Catholics to react with bitterness or weary resignation, although such feelings need not be denied where they exist. Believers recognize that Christian faith involves the acceptance of "hard sayings," contrary to what they might have thought if left to their own devices. It is a blessing to have in the Catholic church a divinely instituted authority that can settle contentious issues and dispel false expectations.

The effort to find new channels for the abilities and energies of dedicated women should be encouraged. Scripture and church history testify to the creative ideas and exploits of many holy women, powerful in word and deed. The example of their loyal service can inspire new initiatives appropriate to our own age and culture. *Ordinatio sacerdotalis*, besides putting an end to some recent debates, can be a point of departure for building new relationships between women and men in the church. This process must now begin.

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Regina Plunkett Dowling

I can remember asking my father, one summer day when I was little, why there were so many clam shells left smashed on the road by the beach. (Since I collected shells, I mourned all these poor broken pieces.) My father told me that the seagulls liked to eat the clams, but they had no way of prying them open, and so they carried them up into the air and dropped them from a great height, trying to smash them open.

When I first read the news of the pope's apostolic letter, all my carefully guarded emotions and carefully arranged thoughts broke apart and scattered. I remembered then the broken bits of clam shells on the road, and thought, I have been dropped from a great height.

Here, then, are some few fragments, gathered if not yet made whole:

1. *Root and Branch.* The pope effectively lays the axe to the very roots of the flourishing debate over women's ordination. By locating the ban on women's ordination in the will of Christ himself, a will transcending "the sociological or cultural motives peculiar to his [Jesus'] time," the pope intends to rule out every conceivable challenge to the teaching. Questions of historical reconstruction, the theological function of narrative and metaphor, the practice of the early Pauline churches, or the pastoral theology of Paul himself: All are implicitly ruled irrelevant. To cite one example: were we to unearth tomorrow a papyrus letter from Paul to a woman church-leader, giving her instructions on the proper way to run the Lord's Supper in her house-church (not an outlandish possibility at all, given the active ministries of women like Prisca and Phoebe), even this apostolic witness would not be allowed to count against the pope's teaching, because it stands in contradiction to the will of Christ.

2. *The Teaching Problem.* Having spent an entire semester training students in the exacting techniques of exegesis, the teacher of Scripture will be hard pressed to reconcile the pope's transparent reading of the Synoptic accounts of the Last Supper with the methods patiently inculcated throughout the course. Delicate judgments are required, particularly when distinguishing between the historically conditioned elements of the written tradition ("the words of men," as Vatican II had it) and the Word itself. The well-trained student would be led to ask, quite properly, "Why is it that Jesus' choice of twelve Jews for his disciples is somehow historically conditioned, but his choice of twelve men is not?" (I expect similar problems will confront those teaching Christology, ecclesiology, and sacramental theology.)

3. *Gotcha.* The American bishops have been considering a set of guidelines intended to extend their authority more effectively into the theology departments of the Catholic colleges and universities. Until now, it has been hard to pinpoint a particular issue that would serve as a rough-and-ready test of orthodoxy. I think the bishops have been handed their litmus test.

4. *Mother of God, Pray for Us.* The Blessed Virgin has been regularly enlisted by both sides of the ordination debate to shore up this or that position; yet it seems to me, now, that we would do better to have recourse to her in prayer. The Body of Christ is riven by anger and suspicion and mistrust. May she who cradled the broken body of her Son at the foot of the Cross turn her merciful eyes to us. May she who received her Son's Spirit at Pentecost pray God to illumine our darkened minds and sluggish hearts with the living flame of love.

Regina Plunkett Dowling is a doctoral candidate at Yale University.

Catherine Mowry LaCugna

Recently I spent a few days in England with some Anglican women who just this past April were ordained to the presbyterate. By their account, what moved the Anglican church finally to approve the ordination of women was the *public* discussion, in print and electronic media, of theological reasons for and against such ordinations, and the discovery in the process that there were no compelling or coherent *theological* reasons against ordaining women. Although it is unlikely that such a debate would be sustained by the American media, discussion is taking place nonetheless in all quarters of the church and in wider society, despite the pope's desperate efforts to foreclose debate. Does the pope not realize that debate and dissent are enemies only for an administration or government or ideology that is on the brink of losing control? A large voice, but not the only voice, in this debate is that of women: the thousands of Catholic women who are active in the ministry of the church and know their ministry to be sacramental; and the hundreds of Catholic women who have been trained as theologians, experts in detecting specious arguments.

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Let us be clear about what the document asserts. The pope repeats the argument of *Inter insigniores* regarding "the constant practice of the church" (he means only the Roman Catholic church) not to ordain women. This theological principle is at least worthy of discussion, but only if pursued in light of the experience of the Anglican, Episcopalian, Lutheran, Presbyterian, United Church of Christ, and so many other churches that have ordained women. Since the pope believes it is "God's eternal plan" not to ordain women and that this belongs to "the church's divine constitution," what would he make of the practice of these other churches?

When the pope writes that he also embraces the "other theological arguments" of *Inter insigniores*, it is unclear whether he means to include the assertion in *Inter insigniores* that women are not and cannot be *in persona Christi*: since women cannot bear a natural (sexual) resemblance to Jesus Christ, women cannot be a sacramental sign of Christ. I have written elsewhere of my suspicion that the authors of *Inter insigniores* might wish they had never made this argument, since it is patently inconsistent with the church's own sacramental theology and prior tradition. It is also the argument that has generated the greatest amount of pain, frustration, and cognitive dissonance for so many Catholics. My undergraduate students, hearing this argument after spending three months learning about the riches of the doctrine of the Trinity for theological anthropology, were dumbstruck and deeply dismayed. Given the deliberate continuity of the pope's apostolic letter with *Inter insigniores*, does the Vatican intend to claim still that women are not *in persona Christi*? If not, this would be a very significant correction to *Inter insigniores* and should be made explicit. But if so, then the Vatican is still declaring that it is God's will for women that women may never sacramentalize Christ, never represent Christ, never stand in the person of Christ, at the Eucharist.

The pope's conclusion that the church "has no authority whatsoever to confer priestly ordination on women" seems to imply that other churches' ordinations are not valid, and that there is no possibility for development in Catholic tradition and practice. This rather negative assessment of the identity and mission of church and the freedom of the Spirit to animate it creates a sense of hopelessness in the reader, especially if the pope intends to perpetuate the *in persona Christi* argument.

Catherine Mowry LaCugna is professor of theology at the University of Notre Dame, and author of God for Us: The Trinity and Christian Life *(HarperCollins, 1991).*

Fleming Rutledge

In the nineteen years since I was ordained, first to the diaconate and then to the priesthood of the Episcopal church, it has never ceased to seem extraordinary to me that I should have been ordained at all, that any human being should be entrusted with (to quote the apostolic letter) "the mission of the Incarnate Word himself." A stance of wonder and amazement is always appropriate with regard to holy orders. Uncounted women over these two millennia have served our Lord without being ordained. For those of us in this first generation of Episcopal clergywomen, our astonishment at what has happened to us in just two brief decades has not receded. The newness of it is still pronounced. I for one am willing to suggest that it continues to be an experiment.

But what an experiment! All over the United States, ordained women in the various Protestant denominations are finding themselves being used by the Holy Spirit. There are fruits to demonstrate that this is not merely a self-serving personal opinion. These fruits will be the best evidence, over time, that Jesus' choice of the Twelve was a choice of twelve *people*, not twelve *men*. John Paul II seems to have little or no understanding of this experiment. Perhaps it is too much to expect of him. No one person can operate successfully on every front at once. This pope has made massive, indeed unprecedented, contributions toward the repair of Jewish-Christian relations. He has played a unique role, not only in strengthening the Polish resistance, but also in emboldening the church to stand against tyranny all over the world. Many examples could be given of his absolute dedication to human rights and human dignity, to religious liberty, to social justice, to scientific research, to the redressing of ancient wrongs.

The intransigent tone of the apostolic letter is indeed a bitter disappointment. Apparently the hour has not yet struck for Catholic women. The letter is in character, however, for a man who has always been uncompromising in his assertion of the faith over against claims of the world. While women hope for the *kairos* to arrive in a subsequent pontificate, it is still possible to be thankful for the achievements of this one. An ordained Episcopal woman recently wrote, in another context, "I am more comfortable with those who oppose my ordination out of loyalty to their understanding of God's will than those who cheer me on out of loyalty to a humanistic social agenda. Ordination is not a women's rights issue. It is obedience to a call or it is nothing" (quoted in *The Living Church*, June 12, 1994). We will be in trouble whenever and wherever we start thinking of ordination as a right to which we are entitled, rather than an unmerited and unexpected gift of God's mercy. Paul the Apostle speaks for us all: "I am the least of the Apostles, unfit to be an Apostle...but by the grace of God I am what I am" (I Cor. 15:9-10). Steady pressure through a clear witness to our calling, combined with love and patience, is the way ahead.

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Robert P. George

Ordinatio sacerdotalis reaffirms the teaching that "the church has no authority whatsoever to confer priestly ordination on women," and declares that this judgment "is to be *definitively* held by all the church's faithful." Does the pope's use of the term "definitively" imply that he has defined this judgment *ex cathedra*? No. The pope is not here proposing the judg-

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ment infallibly. The term "definitively," in this context, plainly refers to how the judgment is to be held by the faithful, not to how it is being proposed by the papal magisterium.

Does this mean that faithful Catholics may legitimately dissent from the pope's teaching on the reservation of priestly ordination to men only? No. In light of the church's firm and constant teaching on the obligation of Catholics to give religious assent to the judgments of the ordinary magisterium—a teaching explicitly reaffirmed by the Second Vatican Council—it is clear that dissent, even from papal teachings that are not *ex cathedra*, can be legitimate only where assent is impossible; and assent is impossible only where someone (1) is aware of some factual error on which the teaching of the ordinary magisterium is based, or (2) has knowledge of a superior source, i.e., Sacred Scripture or the church's tradition (as manifest, for example, in a defined doctrine), whose teaching is plainly inconsistent with the judgment proposed by the ordinary magisterium.

It is true that *Ordinatio sacerdotalis* only sketchily defends the judgment it proposes. One may or may not be persuaded by the reasons given by the pope. As a logical matter, however, the truth of a proposition does not depend on the persuasiveness of the arguments offered in its support. And, however one evaluates the pope's arguments, the judgment he proposes is neither based on some factual error nor plainly inconsistent with the teaching of Scripture or the church's tradition. Hence, religious assent is required. Dissent is illegitimate.

Much of the debate over women's ordination has assumed that the church has the authority to ordain women. Proponents of women's ordination have argued that the reservation of priestly ordination to men is unjust, a violation of women's rights, inappropriate to the modern age, and so forth. In light of *Ordinatio sacerdotalis*, however, these arguments are beside the point. The pope has gone to the more fundamental issue of whether the ordination of women is *possible*, and reaffirmed the teaching that *it is not*. It cannot be unjust or inappropriate to decline to do (or, more accurately, to decline to purport to do) what it is in fact impossible to do.

Of course, it is far from clear, just from the available data, whether the ordination of women *is* possible. The answer must therefore be implicit in Scripture and tradition, and the task of the magisterium is to determine what is implicit and to explicate it. Now that the pope has rendered a judgment on the matter to be held definitively by faithful Catholics, theologians must work to explicate the teaching more fully so that all of us can understand why priestly ordination is reserved to men. As a model of how this work of explication can be done, I would encourage readers to consult Father Benedict Ashley's article entitled "Gender and the Priesthood of Christ" in the July 1993 issue of the *Thomist*. Here, Ashley argues for the superior coherence of the church's traditional position on women's ordination with central themes of both the Old and New Testaments. More work of this quality is needed.

I began by observing that the teaching of *Ordinatio sacerdotalis* is not infallibly proposed. Let me conclude, however, by suggesting that it soon might be. As Vatican II teaches, when the bishops scattered throughout the world, but in communion with each other and with the Holy Father, propose the same teaching on a matter of faith and morals as to be held definitively, then they teach the doctrine of Christ infallibly. It is entirely possible that the bishops will now unite in virtual unanimity in affirming the pope's teaching. Although, for the reasons I have stated, such a development is not necessary for this teaching to bind faithful Catholics in conscience, it would provide welcome assurance that the teaching is certainly true.

Robert P. George teaches legal philosophy at Princeton University.

Sara Maitland

The "definitively" is the problem, of course. No one really thought the Holy Father was, abracadabra, going to announce the admissibility of women to priestly ordination all of a sudden this summer. But it is a big problem. "This judgment is to be definitively held by all the faithful" is not a directive as to practice but as to conviction. What am I meant to do? I tried this problem out on a parish priest—not a particularly progressive one (I try not to cheat). "Father," I said, "I am not able to accept the teaching in the pope's letter to his bishops."

"What do you mean?" he asked.

"I mean I don't think it can end the debate; I don't think it will end the debate; and, most importantly, I don't think it should end the debate. I cannot accept it as the last word on the matter; I cannot accept it as the church's definitive statement on the subject. What should I do?"

"What?" he asked. I thought he was looking plaintive.

"Does this mean I should withdraw from membership in the church, or at least from Communion?"

"Consult your conscience," he said most properly.

"I have, and believing it to be well informed, I'm not planning to do any such thing. But now that I've told you what I believe, would you refuse me Communion?"

"Sara," he said, "don't be so stupid."

Would any priest, would any bishop, exclude from Communion someone in my position—that is, someone who consents to live with the present but not to foreclose her mind on possible development and further theological enlightenment in the broadest sense? If not, the whole thing is apparently definitively binding but totally meaningless. That seems pretty stupid to me. It is an excessive and therefore wrong use of the word "definitively." It is disrespectful to the intelligence of the people of God. It exposes once again the gap that exists in our theology around the whole issue of the *sensus fidelium*, and the process of the reception of teaching. It is rude (to Catholics, to women, and to other denominations). If Saint Paul is right, courtesy is one of the fruits of the Holy Spirit. Does such a marked absence of courtesy permit us to question the presence of the fullness of the Holy Spirit in this letter?

Sara Maitland is a feminist writer and lay theologian. Her most recent novel is Ancestral Truths *(Henry Holt).* □

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THE POWER OF 'HUMANAE VITAE'

TAKE ANOTHER LOOK

PAUL MURRAY

Last year, Commonweal *noted the twenty-fifth anniversary of the publication of* Humanae vitae *with a pastoral reflection by Bishop Kenneth Untener,* "Humanae vitae*: What Has It Done to Us?" (June 18, 1993). The article generated numbers of letters of praise and dispraise, many of which were published [July 16, August 13, September 10, October 22]. Then, several months later, we received a letter from Paul Murray, who had embarked on writing a letter to the editor commenting on Bishop Untener, but realized that it was too long and too late to qualify for our correspondence pages. Would we, he asked, "consider it for inclusion as an article" that would continue the discussion? We would. Here it is.*

Long-time readers will know that Commonweal *does not agree with Mr. Murray's contention that natural family planning is the only morally acceptable form of birth control. Newer readers can find out why from an editorial in this issue [page 4]. All readers will learn that we do agree with other views expressed by Mr. Murray, and why we think that what he says, and his way of saying it, should be part of the conversation begun in 1968, and continuing for these many years up to Bishop Untener's courageous reflections a year ago.*

Last July marked the twenty-fifth anniversary of the publication of Pope Paul VI's *Humanae vitae*. The anniversary was marked by a flurry of correspondence which broke—should I say, interrupted?—the sullen stalemate into which many Catholics seem to have been frozen on the issue of church teaching concerning birth control. While twenty-sixth anniversaries don't usually lend themselves to commemoration, this one might provide the occasion to raise a useful question: What are we Catholics to do now? Ring out the old year, ring in the new, and be done with fruitless discussions of *Humanae vitae*?

As a church, we call to mind an estranged couple who carry on their individual business and fulfill their separate responsibilities without advertence to the differences which divide them. The silence is disturbed only by occasional outbursts of mutual recrimination. This is how I interpret much of the repartee in the pages of *Commonweal* and other journals last year.

And I suppose it's good that we speak to each other. As long as we do, the chance exists that we might agree on something. Yet the argument seems directionless, more a repetitive litany of the other's faults than a serious attempt at reconciliation. As with many old marital feuds, we act as if we have forgotten whatever it was we originally argued about. Who can remember one thing that was said about the encyclical itself during 1993?

As a veteran of all too many extended periods of marital silence, I have some suggestions to make. First, the way to resolution of this impasse lies through *Humanae vitae* itself. That so few have read the encyclical precludes any meaningful public discussion of its merits. Those who *have* studied it can redress this limitation—and encourage a wider reading of the document—by engaging in an open dialogue about the encyclical's substance.

Second, I think that the process of resolution can begin only when partners speak positively for themselves, rather than merely react to the other. What do we want from our sexual relationships? What value do we seek to develop in them? How do the principles enunciated in *Humanae vitae* help or hinder us in that search?

I would like to speak for myself in considering these questions. Rather than run the risk of distorting the views of Catholics who disagree with me, I will as much as possible refrain from attempting to present them from my point of view. I will leave it to others to explicate the positive value in their own position, and I hope they do so.

I should also identify the perspective I bring to the issue. My wife and I have practiced Natural Family Planning (NFP) for all fifteen years of our marriage, having taken instruction during our engagement, in part to better understand the church's view of sexuality. We are now NFP instructors ourselves.

Yet the harmony that we enjoy with the church's position does not render us immune to the sense of dissonance that many Catholics feel about the question of contraception. Our personal experience is one of profound alienation from our popular culture on anything to do with sexuality and family planning. I am

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also uncomfortable with the way in which *Humanae vitae* is often—though not always—presented and defended. Little attention is given the holistic approach to sexuality to which the encyclical calls us.

So, without presuming to have composed a comprehensive discussion of it, I will examine some salient points presented by the map of *Humanae vitae*, to borrow Bishop Kenneth Untener's analogy ["*Humanae vitae*: What Has It Done to Us?" *Commonweal*, June 18, 1993], and compare them with the sexual and cultural terrain I have been walking in my own marriage.

1. *Humanae vitae* transcends conventional wisdom regarding sexual abstinence:

"... this discipline [the observance of periodic continence], far from harming conjugal love itself, rather confers upon it a higher human value. It requires continual effort, but thanks to its beneficent influence husband and wife fully develop their personalities and are enriched with spiritual values."

In a culture that sneers at chastity, it is sometimes difficult to speak of abstinence as *good*. Yet it can be. We know that children often grow out of their egocentricity by coming up against the fact that they can't necessarily have what they want. We recognize the growth of maturity in children when they deal constructively and creatively with such deprivation. Conversely, we sense a lack of maturity when children go to great lengths to avoid it. The process of maturation does not end with childhood, and we don't foster it by contriving to have our way in this aspect of our lives.

On the contrary, we can avail ourselves of genital inactivity to construct a more varied sexual relationship. As we were all acutely aware before becoming sexually active with our spouses, periods of abstinence can be very sexually intense. Our conventional cultural wisdom cannot account for the sense of abandonment of self, the creative use of sexual energy in other aspects of the relationship, and the exhilaration experienced in a mutual decision to forgo sexual intercourse, when the desire to have intercourse is also mutual. If intercourse is intimate sharing, then a conscious decision to abstain under such circumstances is intercourse in all but the physical sense of the word, and is utterly sexual in its nature.

2. The encyclical reminds us that we are not God:

"... those who enjoy the gift of conjugal love while respecting the laws of the generative process show that they acknowledge themselves to be not the masters of the sources of human life, but rather the ministers of the design established by the Creator."

In the hallway of the building where our children attend religious education classes there is a poster depicting the Earth wrapped up and beribboned, with a note attached reading, "Dear Mankind: Please take care of my gift. Love, God." In its way, this message conveys a truism that is readily acknowledged when stated in an environmental context: that we are stewards, not the owners, of the Earth. It also implies a basic relationship to God in which we, for our own good, must both refer and defer to his wisdom in making our choices.

In view of the harm we have done and continue to do to our environment, little of it directly intended and much of it serving some apparently compelling reason, are we wise in trusting entirely to our own judgment the safeguarding of the Earth? I sense that in matters sexual as well as environmental, we are better off trying to live in accordance with nature, rather than trying to re-create it as we would have it.

3. *Humanae vitae* challenges us to evolve personally as well as technologically:

"By safeguarding both these essential aspects, the unitive and the procreative, the conjugal act preserves in its fullness the sense of true mutual love and its ordination to man's most high vocation to parenthood. We think that men of our day are particularly capable of confirming the deeply reasonable and human character of this fundamental principle."

We of Western culture stand at a defining moment in human development. Through the application of sophisticated technologies, we have liberated ourselves from many of the material and time-space constraints imposed on people of the past (and in much of the world at present). We can now *choose to do* things which literally were not possible until recently, and can *choose not to do* things which have always been considered unavoidable. Our technological proficiency enables us to rule nature as we once were ruled by it. We now have the ability to exercise true responsibility in our sexual decision making.

The expectation of genuine, long-term sexual fulfillment is a relatively recent phenomenon. It has been greatly facilitated by the fact that we have time which need not be spent in the struggle to survive. We now have the power to pursue fulfill-

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ment of certain aspects of our sexuality independently of others, or to integrate them using natural methods of birth regulation that rival artificial means in their effectiveness. The way in which we choose to use this power will say much about how we define ourselves as human and sexual beings.

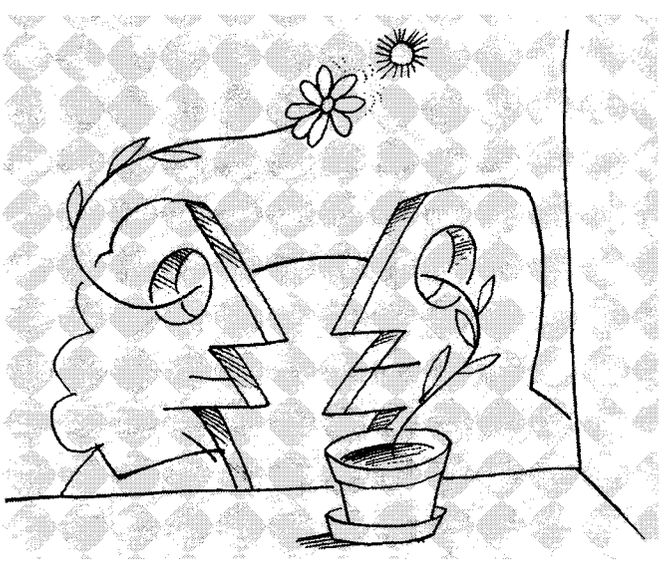
Is our capacity to make sexual decisions going to evolve as have our technological capacities? Will our understanding of our sexual nature grow as has our understanding of the world's nature? Are our sexual desires and motivations going to develop and become more comprehensive, or remain physically, sensually, and emotionally self-centered? Can we Americans ever transcend our "forbidden fruit" attitude toward sex, wherein we continually try to evade someone else's prohibitions? At a time in history when we have become able to accomplish it, *Humanae vitae* challenges us to a responsible integration of the unitive and procreative aspects of sexuality and so to a personal evolution that will undoubtedly be as painstaking, yet at least as consequential, as our technical development.

4. *Humanae vitae* challenges us to practice what we preach to our children:

"... parents become capable of a deeper and more efficacious influence in the education of their offspring; children and young people grow up with a correct appreciation of human values, and enjoy a serene and harmonious development of their spiritual and sense faculties."

Perhaps the most valuable aspect of the practice of NFP has been that my wife and I feel comfortable in demonstrations of affection and expressions of our sexuality without inevitably associating such displays with intercourse. That is what I hope for my children: that they be secure and comfortable in their sexuality without needing to affirm it in bed. They will, after all, be physically mature long before they are ready to enter constructively into a sexual relationship.

I have to wonder how I would preach to my children about the value of chastity were my wife and I practicing contraception. Marriage has long been held to be the only appropriate context for sexual activity, because it affords the only suitable context for the upbringing of children. When we separate the unitive and procreative aspects of sexuality, when we engage in sex only for its unitive (or perhaps its sensual) value, what possible grounds have we for insisting to our children that sex be reserved for marriage? Why shouldn't they experience the same intimacy (or sensual pleasure) that we do, if this is what sex is all about?



In short, I would be extremely uncomfortable explaining to my children why they should wait for years to make love, when I can't wait two weeks. Governing my own sexual desire allows me to expect them to do likewise.

5. The encyclical confronts the sixty-four-dollar question, and calls us to seek the ideal in practice:

"... the church, calling men back to the observance of the norms of the natural law... teaches that each and every marriage act must remain open to the transmission of life.

"Similarly excluded [as a lawful means of birth regulation] is every action that, either in anticipation of the conjugal act or in its accomplishment or in the development of its natural consequences, would have as an end or as a means, to render procreation impossible."

This exclusion is often denounced as a harsh, intractable prohibition. I don't see any alternative but to agree, if we premise that the church should validate the attitude that conception is a complication of sex, rather than an immanent reality. It's that very attitude, however, that *Humanae vitae* sees as ultimately dehumanizing. Given the document's statement of the goods to be pursued in integrating the whole person in one's sexuality, and the evils following from the use of contraception, what other conclusion can be drawn?

Why is contraception to be evaluated differently from other moral shortcomings? I have to think there are exceptions to this enjoyment just as there are exceptions to, say, the Sunday obligation, or the Fifth Commandment. Yet somehow, when it comes to contraception, we seek to make the exception the rule, as if to justify a priori our failure to attain an ideal which we have deemed impossibly (or inconveniently) high. We seem to forget that the Commandments do not contain the words "if," "unless," or "try to."

It also seems to my layman's sense that most exceptions have to do with the imposition of circumstances beyond one's foresight or control. That isn't the case with contraception. We all know where babies come from. No one is forced to marry and make love. The difficulty involved in what the church defines as legitimate methods of birth regulation is something we ought to consider as we freely prepare to marry.

6. Pope Paul VI was prescient about the consequences of contraception:

"Let [responsible persons] consider, first of all, how wide and easy a road would thus be opened to conjugal infidelity and to a general lowering of morality.... It can also be feared that the man who becomes used to contraceptive practices, may finally lose respect for the woman, and no longer caring about her physical and psychological equilibrium, come to the point

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of considering her as a mere instrument of selfish enjoyment, and no longer as his respected and beloved companion."

Enough said? We could perhaps contend that the frightening disrespect and hostility evidenced toward females in our time merely coincides with, and is not an effect of, the widespread use of contraception. That may be true, but I won't believe it until I see American society ridding itself of the one while maintaining the other. In the meantime, I think we are vainly trying to cling to both ends of a contradiction.

Humanae vitae calls us to a love that "is total...in which husband and wife generously share everything, without undue reservations or selfish calculations." In contrast, use of contraception implies that we have justified for ourselves the sundering of nature, the selection of certain aspects for our enjoyment, and the synthetic suppression or elimination of others as undesirable. This is ironic in a society which purports to be committed to sexual equality and dignity. We undercut our alleged commitment with our actions. On the one hand, we collaborate in surgically, hormonally, and chemically altering each other's natures; on the other hand, we denounce it when someone is denied the opportunity to fully develop his or her nature physically, professionally, educationally, or economically. Perhaps these two responses are variations on the same theme. They are behaviors by which we seek to manipulate and control the terms of our involvement with other persons. It is from this pattern of limiting the scope of our most intimate relationships that *Humanae vitae* calls us to free ourselves.

7. *Humanae vitae* asks that we keep our eyes on the real prize:

"One must look beyond partial perspectives... and make one's consideration in the light of an integral vision of man and of his vocation, not only his natural and earthly vocation, but also his supernatural and eternal one.... By means of the reciprocal personal gift which is proper and exclusive to them, husband and wife tend toward that communion of their beings whereby they help each other toward personal perfection in order to collaborate with God in the begetting and rearing of new lives."

Much of what is said in the debate over this encyclical seems to constitute a clash of "partial perspectives." We must bear in mind the end which is placed in front of us: the "integral vision of man and his vocation," the mutual commitment to "personal perfection" and collaboration with God. We then evaluate our actions in light of whether they further this end: "By this particular act, do I work for, or against, my true vocation?...In doing thus and such, am I conscious of working in collaboration with God, or am I disregarding or opposing him?" Clearly I think that the practice of contraception, when all its ramifications are considered, leads us away from the perfection, communion, and collaboration of which Pope Paul speaks.

Yet it doesn't follow that the practice of NFP inevitably leads us *toward* these ends. *Humanae vitae* acknowledges the permissibility of "recourse to the infertile times," and so in utilizing NFP a couple at least fulfills certain minimum requirements. Still, the encyclical asks of us much more than that. The question is often put, "What is the difference between NFP and ar-

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tificial contraception, since they both are used to avoid pregnancy?" I think it is possible for the difference to amount to no more than that which exists between the letter and the spirit of the law, and indeed that is not saying much.

Part of the problem is that, while we are called to live in eternity, we can only heed the call and pursue the vocation in the here and now. The actions and practices through which we activate our vocation are limited by the fact that it is limited, imperfect human beings who practice them. An example might be almsgiving. The practice of almsgiving disposes us to charity. But the practice is not synonymous with the virtue, nor can it force that virtue on us. We probably all know of people who seem to give only out of a sense of obligation or guilt, or whose generosity is reduced to writing checks, and maybe disproportionately small checks at that. But if almsgiving does not serve to perfect the giver or to further the vocation, the error lies not in the practice itself, but in the way it is undertaken. If donations haven't improved one's spiritual poverty, perhaps it's because of a nonreceptivity to that collaboration with God and communion with others which *Humanae vitae* holds out as the ideal for us to seek.

So it is with NFP. Natural Family Planning is a practice. It disposes us to marital chastity—whether or not we choose to actively cultivate that virtue—but by itself cannot effect it. For my wife and me, the practice of NFP is one expression of our commitment to love and accept each other as fully and unreservedly as we can, and a means of extending our sexual communion beyond the genital. But there have been times when this was not the case, when we defined our sexuality primarily by its genital expression, which in turn would occur only within certain predictable parameters. Our fertility did not find very dynamic expression, sexual or otherwise, at those times. We were adhering to the letter of the law. But we were hardly fulfilling our potential as construed by *Humanae vitae*.

Humanae vitae is not primarily about Natural Family Planning. In trying to live out the encyclical's standards, spouses must focus their sights beyond the practice of one particular mode of birth regulation, and continually ask themselves how in that practice they are intentionally fostering the "communion of their beings...in order to collaborate with God."

8. Pope Paul VI apprehended the connection between fertility and the power of sexuality:

"Those who make use of this divine gift while destroying, even if only partially, its significance and finality, act contrary to the nature of both man and woman and of their most intimate relationship...."

Is there any doubt that the power of sexuality is inherently connected to the power to conceive? To the fact that sexual intercourse implies a union not just for one discrete moment, but forever, through our capacity to co-create another human being? Would we be held in such thrall by an act that did not contain within itself the same permanent ramifications?

I am afraid that we run the risk of trivializing sexuality when we first willfully isolate it from our procreative capacity, and then disable that capacity. In fact, we seem to have succeeded in doing so: witness our culture's banal and superficial preoccupation with sex as reflected in the media, and the rising number of sexual partners with whom Americans have dallied as contraceptives have become more effective and available over the course of the last three decades.

It is an ever-growing sense of the deeply pervasive power of sexuality that convinces me of the basic truth of *Humanae vitae*. We are called to be in touch with that power at all times. I experience it in the unselfconscious beauty and desirability of my wife at her fertile time, the cyclical engagement in mutual courtship and consummation, and, yes, the frustration over sometimes long periods of abstinence and the apprehension felt when contemplating an unintended pregnancy. This life is, as Paul VI said, sometimes difficult but always possible, and it is never, ever, boring.

Isn't our ideal of sexuality something like that: something that has the power to transport us beyond ourselves? Something continually dynamic, through which we change and are changed, and *not* altogether under our control? My wife and I have found that our submission to the rhythm of fertility has made our way of birth regulation itself a medium of sexual interaction between us. It is a means of extending, deepening, and intensifying our relationship. Among the supposed benefits of contraception, this possibility seems conspicuously absent. Contracepting couples can seek to develop their sexuality *aside from* their particular contraceptive practice, but I don't see how they can do so *within* it. I perceive the contraceptive ethic, if one can be said to exist, as essentially negative. It seeks to justify a behavior which we will for ourselves. It does not define a value which encourages and allows us to transcend ourselves.

Humanae vitae calls us to transcendence, not by repressing or avoiding sexuality, but by entering more fully into it. *Humanae vitae* specifies how we can sanctify our sexual conduct within the context of our basic Christian call to sanctify the world. Ultimately, we must recognize that this call originates with God, and not with any individual pope. The call of God is often jarring, and the implications of following it sometimes seem incredible when considered through the eyes of the world.

Through the promulgation of *Humanae vitae*, the church challenges Catholics to grow simultaneously in both "sense and spirit," at some cost to our temporal comfort. That most Catholics don't agree with or abide by this summons is held to be evidence that the church has overstepped its authority or spoken erroneously. Yet I see it as altogether fitting and perhaps inevitable, that sexuality be the arena in which church and culture confront each other so explicitly.

In what other aspect of our lives are we so demanding of our autonomy and less open to another's questioning of our behavior? Given the prevailing level of sexual morality and its far-reaching consequences, it is not only appropriate, but essential, that the church address the issue directly. Would that she could do it without shaking us up so, but sometimes we need it. If that isn't what a church is for, then I don't know why we have one. If only we can bring ourselves to perceive the liberation that can be effected by our acceptance of this challenge. □

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A PORTRAIT OF EVIL

'THE BOYS OF SAINT VINCENT'

In one of his poems, Bertolt Brecht looks at a Japanese carved mask representing the visage of an evil demon.

Sympathetically I observe
The swollen veins of the forehead, indicating
What a strain it is to be evil.

The strain of evil is stamped on the face of Brother Peter Lavin, the fearsome yet pathetic orphanage superintendent in *The Boys of Saint Vincent*, John N. Smith's searing Canadian film about the consequences of pedophilia. It is a furious face which constantly threatens to disintegrate before our eyes. It is a twisted face, most often twisted in scorn but sometimes in self-pity. Actor Henry Czerny's looks are faintly similar to Sam Neill's, but even when Neill plays a sexually repressed man in *The Piano*, his glamour shines through the character's neuroses. By contrast, Czerny makes Lavin a man so encased in the armor of self-righteousness that even the embers of his humanity have been stamped out. A child's faint effort to escape Brother Lavin's lascivious embraces is treated by the superintendent as an act of delinquency, almost impiety. Acts of compassion are regarded as sabotage and, when another brother's mealtime grace turns into an appeal for God's mercy, Lavin takes the prayer as a personal affront.

And Lavin, of course, is right. Independence, kindness, and genuine piety are threats to Lavin's rule, for he has used his authority to create an institution that is quite plausible in its everyday functioning (the kids are taught and fed and clothed adequately) and utterly rotten at its core. The structure reflects its creator. Lavin's angry countenance and rigid body, after all, might pass as the bearing of an ultra-competent man baffled by incompetence or laxity. But look closely at Lavin's face as the camera closes in on it and you can see that the man fully comprehends his own abomination, but his outer layer of consciousness, which manifests itself as self-righteous fury, keeps him rolling along and trampling right over others.

The first half of *Saint Vincent* is virtually a horror movie with Lavin as the vampire lord of the castle. The very first shot under the credits is classically spooky: the Newfoundland orphanage and the adjoining church are viewed at twilight; the cross that tops the church spire reaches up into a wintry blue sky; a boys' choir sings the praises of the Lord while dry tree branches whisper and click in the wind. We may well wonder if we're about to see a less supernatural offspring of *The Exorcist*.

But it is director Smith's genius to show how enormity can coexist with normality and how normality cloaks enormity. Once we get inside the orphanage, everything seems plausible...for a while. The boys recite their catechism and their lessons. They collect old clothes from the townspeople for school fund-raising. There is a normal amount of horseplay and it's treated indulgently enough by the brothers. And when one lad sasses a teacher, he's not severely punished. An elderly brother lends a promisingly intelligent boy named Kevin books and quizzes him as to how he likes them. Christmas preparations are underway, as well as some big plans to coax money out of a city council to build an ice hockey rink to be affiliated with the school. How could anything be wrong at Saint Vincent?

But why does Kevin wash his body with such spasmodic vigor in the shower room? Why is he summoned so often and so late in the day to Brother Lavin's office, and why is he so reluctant to go? And why are the halls and dormitories at night so crepitant not just with the normal nocturnal sounds that all large houses make but with sighs, moans, whimpering, and—worst of all—sibilant, insinuating whispers?

The decency and diligence of three men—a janitor, a police detective, and that aforementioned book-lending brother—end the horror and force the obfuscating church bureaucracy to terminate Lavin's reign. But Lavin isn't arrested, publicly denounced, or even punished. He and two other pedophiles on the staff are packed off for "treatment" and into obscurity. A new superintendent takes charge. The relieved city council—"We can't be seen giving a million dollars to a bunch of perverts"—can now close the hockey rink deal. The Christmas celebrations are a grand success. And, at night, the whispering continues while a boy's voice softly petitions, "Please... please,

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Brother, I want to get some sleep."

Thus, on a terrifying note of *plus ça change*, closes part 1, which could pass as a self-contained little masterpiece of horror if part 2 did not exist.

For it is with part 2 that John Smith and his scriptwriters (Des Walsh and Sam Grana) ask really tough questions, dare to provoke and even exasperate us, and bring us face to face not with the easily detectable villainy of part 1, but with that infuriating but all-too-human trait that Baudelaire defined when he said, "I see the best but I do the worst."

It is fifteen years later. Lavin, no longer a brother but still a church-going, rosary-fingering Catholic and a married man with two children, is arrested. A district attorney, determined to bring the long-suppressed crimes to light, subpoenas Kevin and several of the former wards, including Steve, who in part 1 was a tough, likable little con artist and who is now a drug-hustling, drug-taking wreck. Time has wrought great changes in all concerned and these changes bring us up short, complicate our feelings, and deny us any pat conclusions.

For one thing, the strain of evil is no longer on Lavin's face. In fact, helping his wife in the kitchen, he seems surprisingly relaxed, happy, superficially decent. At this point, we may ask ourselves if time itself doesn't put criminals beyond the reach of the law by rendering their former evil unrecognizable to themselves. But even if we think that a (possibly) reformed Lavin should still be punished, there is something else to consider: standing beside him as he is arrested are Lavin's wife, Chantal (played to heartbreaking perfection by Lise Roy), and his children. The kids are bewildered; Chantal is devastated. And it's not just the matter of public disgrace. They clearly love Lavin and they are seeing their loved one beginning to be destroyed. Must Lavin's family be destroyed so that he can be punished?

Worse: Kevin, Lavin's main victim, is to be the star witness and the obligation to examine his memories tortures him. By contrast, Steve seems eager to testify for the sake of vengeance. But, with his body and mind discombobulated by drugs, is he really ready to testify? Will the trial purge these youths of horror or drown them in it? Their contrasting performances on the witness stand give us a double answer: the revelation of past evil can either destroy or redeem. But even the one who survives comes perilously close to catastrophe.

And Lavin and his family? The family is destroyed but out of its wreckage Chantal may make a better life for herself and her children because now at last she sees clearly what Lavin is and what she must do to put him behind her.

But Lavin himself can go nowhere spiritually because he has continued lying. In part 1, he lied to the authorities to conceal his crime. In part 2, he lies to his wife and his lawyer and his psychiatrist (Lavin's brilliant and bloodchilling conning of the last will not give any comfort to the male sensitivity movement), but most of all he lies to himself. In the shattering denouement, Lavin, finding himself completely alone, starts to crumble, his eyes fill with tears, his mouth twitches. Then he jumps to his feet and slams the table in front of him several times. Slams away his budding recognition of his fallen nature and the unexpungeable harm it has done to others. Slams himself back into the spiritual armor of self-righteousness and despisal of others, slams himself back into the solitary confinement that is his life. He subsides for a moment. Then he rears back up and pounds twice more. The End. If there has ever been a harsher leave-taking of a character in a play or film than this one, I haven't seen it.

Is *The Boys of Saint Vincent* fair to the Catholic church? Well, not if we take it as journalism. It doesn't adduce dozens of well-run, wholesome Catholic orphanages to counter the portrait of hell that is Saint Vincent. True, there is that one elderly brother who helps rescue Kevin in part 1, but it's likely that some members of the audience will come away from this picture with an impression not much different from that of the dizzbrain who, in one of the movie's more satirical sequences, phones a radio talk show to contribute the usual "you get these priests with their vows of celibacy alone in a house with a bunch of boys and ya just know...."

But *is* this film journalism? *Is* it mainly a muckraking exposé? I don't think so. It is a work of dramatic poetry. To say this is not to grant the movie a license to be one-sided or otherwise unfair but to indicate what sort of truth it is trying to tell. Its truth is not a matter of stating a social problem fairly, of setting up equal members of good priests against bad priests, of citing statistics which comfort against statistics which blast. *The Boys of Saint Vincent* is a portrait of irreducible evil, the finest that has appeared on screen since the Dutch film, *The Vanishing*. When Lavin slams the goodness out of his heart just before the final credits roll, we find ourselves confronting a spiritual deformity that no reformation of church policy can mitigate, against which no legislation can prevail.

(*The Boys of Saint Vincent* will be shown nationally on Arts and Entertainment Cable in the fall.)

RICHARD ALLEVA

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Missing the glory

KIKU ADATTO

"What do I think of *Middlemarch?*" Emily Dickinson wrote. "What do I think of glory?" Now that the BBC production of George Eliot's *Middlemarch* has concluded on public television and we turn to the book, what glory will we find there? Unfortunately, the BBC production provided few clues. Despite its rich evocation of Middlemarch society, it muted the two voices that matter most in Eliot's novel. As a consequence it missed the relevance of this great story for our times.

One of the glories of *Middlemarch* is that it gives us two of the strongest women's voices in all of fiction, that of the author, George Eliot, and of her heroine, Dorothea Brooke. Eliot is the poet of Dorothea's life, a life that to outward appearances has no epic meaning. Eliot reveals that some of the greatest good is done quietly and without historical acknowledgment, in the space between public and private life. It is this space that is occupied by Dorothea Brooke. In a society suffocated by convention and resistant to reform, her moral courage provides a more potent form of agency than more public lives achieve.

Middlemarch is a tale of how the pettiness and scandal of private life threaten to undo great efforts for public reform. At its moral center are three reformers: Dorothea Brooke, Dr. Tertius Lydgate, and Will Ladislaw. All are young and new to Middlemarch. Dorothea is a twenty-year-old heiress who has come to Middlemarch after the death of her parents to live with her uncle. Though she lives on a grand estate, her talent and passion is land reform. She holds no public position, but is self-taught. Most people think she should stick to being a lady, and give up her projects.

Dr. Lydgate has come to Middlemarch to reform health care. Middlemarch promises the opportunity for innovation away from the entrenched and unyielding institutions of London. Not surprisingly, the pharmacists who dispense medicine that people don't need and the doctors who offer cures that don't work resent Lydgate and wait for an opportunity to discredit him.

Will Ladislaw comes to Middlemarch to visit his elderly cousin, Rev. Edward Casaubon, a clergyman and religious scholar of independent means. After Casaubon marries Dorothea, he grows jealous of Will, and insists Will leave town. Instead, Will stays to work for political reform as a journalist and political adviser.

All three reformers are drawn together by shared ideals and mutual respect. But their fates are different because of the various ways they negotiate the pulls of public and private life.

Eliot begins *Middlemarch* with a "prelude," a parable by which we are to understand Dorothea's life, and through her life, the lives of many gifted women. She tells the tale of Saint Teresa of Avila, the sixteenth-century religious reformer, whose "passionate, ideal nature demanded an epic life." Her soul could not be contained by the small pursuits of private life but "soared after some illimitable satisfaction."

Saint Teresa found her calling in the reform of a religious order. But Eliot reminds us that the fate of the modern-day Teresa is different. Women of distinctive promise arise in every epoch, but they are fettered

KIKU ADATTO *is the author of* Picture Perfect: The Art and Artifice of Public Image-Making *(Basic Books).*

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by society, forced to leave the path of public action, or unacknowledged, never given a chance to exercise their agency in the world:

> That Spanish woman who lived three hundred years ago was certainly not the last of her kind. Many Teresas have been born who found for themselves no epic life wherein there was a constant unfolding of far-resonant action; perhaps only a life of mistakes, the offspring of a certain spiritual grandeur ill-matched with the meanness of opportunity; perhaps a tragic failure which found no sacred poet and sank unwept into oblivion.

Eliot describes Dorothea as a modern-day Saint Teresa, brimming with moral passion, poised to change the world. The television series, by contrast, casts Dorothea as "girl interrupted," diverted by the claims of domesticity. The series opens by effacing Eliot's independent heroine and making Dr. Lydgate the star of the show. Lydgate's carriage sweeps into Middlemarch; Lydgate organizes a new fever hospital; Lydgate talks of his visions for medical reform. (In the novel, Lydgate enters the scene, not with a flourish, but at a dinner party.)

How is Dorothea first addressed? Not with the deference the BBC production accords Lydgate, but as "Dodo," the pet name given by her practical, but less substantial sister, Celia. Only glancing references are made to Dorothea's projects and passions. She is reduced to exactly what she is a rebel against—a Victorian lady of demure voice and at times (as one critic noted) of "preposterous saintliness." Her uncommon talent for land reform, her refusal to be fettered by gossip, her willfulness and occasional haughtiness, and her remarkable virtue are lost in a one-dimensional portrait of naive good will.

The fact that the BBC production slights the development of Dorothea's character is not the fault of Juliet Aubrey, the actress who plays Dorothea. Like the other members of the cast she is superb, and when given the chance, reveals Dorothea's willfulness and passion. It is Anthony Page (director) and Andrew Davis (screenwriter) who get Dorothea wrong, and with astonishing regularity strip her of speech, agency, and action. Instead of painting Dorothea in the vivid colors of Eliot's narrative, they render her in pastels, passive when she is active, docile when she is defiant.

In one scene, for example, Will indignantly tells Dorothea that her life with Casaubon is a "dreadful imprisonment." The television series focuses on Dorothea's protestation that she is satisfied with retreating from the world to help her husband with his ponderous scholarship, but

omits the passionate, assertive parts of her dialogue. "I have a belief of my own," Dorothea affirms, to widen "the skirts of light" and make "the struggle with darkness narrower." When Will interrupts, "That sounds like beautiful mysticism," Dorothea asserts, "Please do not call it by any name. You will say it is Persian or something else geographic. It is my life. I have found it and I cannot part with it."

Eliot's commanding contrapuntal voice as narrator is eliminated from the TV series, except for a brief coda. Without Eliot's constant reminder that Middlemarch society has got Dorothea wrong, the television series unwittingly adopts Middlemarch's view of her, taking on the smug, condescending tone of the society Eliot disdains. To write Eliot out of the script is like staging Shakespeare without the soliloquies and asides. In the voice of narrator, Eliot is at once ironist and social critic. Her narration is an essential counterpoint to the decorous speech of her characters. It provides the piercing insights into their souls.

Eliot reveals that Dorothea's moral courage goes beyond her vigorous efforts for reform. In two extraordinary acts Dorothea rises to redeem others wrongly brought down by scandal. First, Dorothea refuses to bow to public opinion and acts independently to defend Dr. Lydgate when he is unfairly discredited. In a sordid concatenation of events, Lydgate is drawn into a scandal not of his making. A stranger comes to Middlemarch and tells of the unsavory past of Bulstrode, the pious town banker who financed Lydgate's fever hospital. The stranger dies under Lydgate's care and the townspeople (many resentful of his medical reforms) imply Lydgate assisted in his murder. It doesn't help that Lydgate has recently asked Bulstrode for a large loan to pay a personal debt.

Even the men who admire Lydgate are too cautious to act on his behalf. Into the breach steps Dorothea Brooke. She holds no office. She has no career. She is a woman. Yet she uses her position as a woman to act boldly to bridge the gap between private and public life in a way no man can. While the men she respects stand at the sidelines, advising Dorothea to let Lydgate clear his name if he can, she refuses their caution. "Let us find out the truth and clear him," she argues. "Then we would all stand by him and bring him out of his trouble. People glorify all sorts of bravery except the bravery they might show on behalf of their nearest neighbor."

To act without regard for public opinion for a greater good is reason enough to celebrate Dorothea's moral courage. But she does more than this. She also rises above scandal that touches closer to home. After speaking to Lydgate, she offers to talk with his wife Rosamond to reassure

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her that Lydgate's name will be cleared. But when she goes to Lydgate's home she comes upon Rosamond and Will Ladislaw intimately clasping hands. Startled and shocked, Dorothea retreats from the scene.

After Casaubon's death, Dorothea had felt a growing love for Will, but as a widow, was restrained by propriety from seeing him. Witnessing the scene with Will and Rosamond wounds Dorothea deeply. She gives vent to the anger of spurned love. But unlike most of us, who would turn away with outrage and wounded pride, she rises to the higher call of justice. Just as Dorothea wrestled with the moral dilemma of what loyalty required in her marriage to Casaubon, she now wrestles with what loyalty to her friends requires. She considers Lydgate's life and work and Rosamond's bond to him. The "objects of her rescue," Dorothea realizes, "were not to be sought out by her fancy; they were chosen for her....She was part of that involuntary, palpitating life and could neither look out on it from her luxurious shelter as a mere spectator nor hide her eyes in selfish complaining."

Acting on these higher claims, Dorothea returns to Rosamond to reassure her of the efforts on her husband's behalf. And Rosamond, moved by Dorothea's goodness, overcomes the vanity of a flirtatious woman, and confesses that she threw herself at Will, that Will loves only Dorothea. Dorothea and Will finally free themselves from the constraints of propriety and affirm their mutual love. Dorothea forgoes Casaubon's fortune and marries Will, a man without property or position, who is later elected to Parliament on a platform of political reform.

Eliot concludes the novel with both a lament and a celebration of Dorothea's life. The lament is that Dorothea never receives public recognition for her work. Those close to her appreciate her gifts, but she devotes the rest of her life to her husband and family. In Middlemarch lore, Eliot notes with irony, Dorothea was viewed as not a "nice woman," faulted for marrying first a sickly old scholar, then his young cousin.

Yet despite society's judgment, Eliot celebrates Dorothea's greatness. Dorothea faces down scandal. She refuses to retreat to the safety of a sheltered life. Hers is an inner moral courage that makes a difference in the world.

With Dorothea Brooke at its moral center, Eliot's *Middlemarch* offers a parable for our times. We too live in a time when reform is in the air, but so is scandal that threatens to undo it. We too struggle to weigh public virtues against private vices, to sort out the conflicting, overlapping claims of the public and the private spheres of life. Our confusion about the public and the private swirls about us—we degrade our inner lives by baring our souls on television talk shows; we read lurid accounts of the private vices of politicians and celebrities in tabloids and, increasingly, the mainstream press, accounts that make the vicious gossip of Middlemarch society seem elevated by comparison.

At the same time, the invasion of public life by talk of scandals, vices, and confessionals, seems a kind of revenge against a public realm that tyrannizes over the private, depreciates domestic lives, prizes careers and professions over children and families. In the war between the public and private in our time, it is women who are typically the casualties.

Eliot's novel, with its redemptive view of the inner life, is a balm to our battered psyches. It affirms the heroism of Dorothea's "unhistoric" life. So much of our greatest fiction is about the unraveling of women's lives—Anna Karenina, Emma Bovary, the tortured heroines of Dostoyevsky, the quiet desperation of Wharton's Lily Bart, to say nothing of the women stuck in the spiritual flatlands of postmodern fiction. In Dorothea Brooke, Eliot offers us a different vision, a portrait of a woman who does not come undone.

> Her finely touched spirit had still its fine issues, though they were not widely visible. Her full nature...spent itself in channels that had no great name on earth. But the effect of her being on those around her was incalculably diffusive, for the growing good of the world is partly dependent on unhistoric acts, and that things are not so ill with you and me as they might have been is half owing to the number who lived faithfully a hidden life and rest in unvisited tombs. □

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No room at the inn—or anywhere

THE HOMELESS
Christopher Jencks
Harvard University Press, $17.95, 161 pp.

Patricia A. O'Connell

Christopher Jencks is a well-known academic (in fact, the John D. MacArthur Professor of Sociology at Northwestern University) whose previous writing and editing credits include a number of impressive books, among them *The Urban Underclass, Who Gets Ahead: The Determinants of Economic Success*, and *The Academic Revolution* (which includes a lengthy and shall we say interesting chapter, "Catholics and Their Colleges"). Compared to those tomes of considerable heft, *The Homeless*, which Jencks acknowledges is his first solo book-writing effort, is blessedly short; moreover, its appendix material and notes account for one-quarter of its total page count.

The author explains in his preface that this present volume grew out of a review assignment for *The New York Review of Books*. Upon reading the two-part *NYRB* article (April 21 and May 12, 1994) in conjunction with the book, one realizes that the periodical and hardcover versions of Jencks's essay more than occasionally echo each other word for word. Reading the *NYRB* pieces, therefore, may well be sufficient. Whatever form one chooses, Jencks's words, accompanied by tables and figures, are profoundly intriguing and well worth reading. Without ideological bombast or promises of quick fixes, he explores the causes of homelessness in the United States in the 1980s and offers some "partial solutions" for the future.

First, how the homeless got to be that way. Jencks says it best himself.

> As far as I can tell, the spread of homelessness among single adults was a byproduct of five related changes: the elimination of involuntary commitment, the eviction of mental hospital patients who had nowhere to go, the advent of crack, increases in long-term joblessness, and political restrictions on the creation of flophouses. Among families, three factors appear to have been important: the spread of single motherhood, the erosion of welfare recipients' purchasing power, and perhaps crack.

That's homelessness during the *early* 1980s. He also suggests that the expansion of the shelter system and soup kitchens may have been a factor in the rising number of homeless in the *late* eighties.

The "number" of homeless people is itself a vexing issue because counting the homeless is no easy task. First, someone must decide what a home is (and thus what it means to be without one). Armed with a definition of homelessness, one must find people who meet the criteria, a project that involves a whole new set of variables—whether they're located during the day or at night, whether they'll emerge from hard-to-find tunnels and abandoned buildings, whether they're willing to cooperate with interviewers, etc. Jencks confines his book to what he calls the "visible homeless," street people and shelter or welfare-hotel clients, who numbered a few hundred thousand in the late eighties, according to his estimate (contrary to the figure of 2 to 3 million put forth by well-intentioned advocates for the homeless such as the late Mitch Snyder, a figure that was picked up by the media).

As Jencks reveals, the media weren't alone in distorting facts about the homeless and related issues. For a multitude of reasons, including ignorance, liberal and conservative policymakers and private citizens have sometimes been just plain incorrect about what causes homelessness and what can prevent or reverse the phenomenon. In fact, Jencks's book is at its maddening best when he shows how opposite political camps, whatever their intent, have *both* been involved in increasing homelessness. The reader feels as though Lewis Carroll's Alice were leading a tour through a looking-glass house with all its contradictions, but the final stop is neither house nor home: it's the streets.

For example, Jencks does a superb job of illuminating the process by which deinstitutionalization of mental patients,

"Actually, I like *living in a shoe, but the neighbors keep bellyaching about property values."*

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championed by many liberals, combined with the creation of Medicaid and Supplemental Security Income, an increasing tolerance of atypical behavior, and tax revolt converged in such a way that the mentally ill found themselves with nowhere to live. In addition, the experience of homelessness may cause mental illness in people who might otherwise be reasonably healthy. One must also remember that not all homeless people are mentally ill. Some citizens fear violence among the mentally ill homeless, but not all are violent. This convoluted subject allows Jencks the opportunity to display two refreshing qualities, his willingness to admit he doesn't know something and his desire to venture a guess nonetheless: "...while I know no statistics on the matter, I suspect that when the homeless mentally ill are involved in violence they are as likely to be victims as aggressors."

And on Jencks moves through topics such as rent control, drug abuse, family ties, bad luck, and the American "can do" mindset, pointing out correct assumptions and shooting down mistaken notions (one of which he calls "breathtakingly wrong") about the gestalt of housing and homelessness. Most of the book focuses on problems, but the final chapter proposes some solutions as well: improved housing for the homeless in return for greater responsibility on their part; expanded rent-subsidy programs for homeless families; a day-labor market that would allow workers sufficient money at least to eat and rent space in a cubicle hotel (which would mean rewriting municipal codes and building in nonresidential areas); changes in the way we deal with the mentally ill; and a performance-contracting and voucher system so that providers of services to the homeless would be held accountable to a degree they are not now.

Not everyone will agree with Jencks point for point; maybe the eight books that inspired this volume (cited in *The Homeless*) will provide further reading. And Jencks's clear indication in his preface that this is not a book about individuals is accurate but troubling. Anyone who has worked with the homeless or has provided at least temporary housing for a friend or relative who would otherwise be homeless knows that "homeless" is not a collective noun. The homeless are individuals. Until such time as academics and government officials spend more time directly with homeless people, we may be doomed to perpetuate the status quo in which those making or suggesting policy have insufficient knowledge of the true needs and responsibilities of those homeless.

Robert Frost wrote in "The Death of the Hired Man" (1914), "Home is the place where, when you have to go there, / They have to take you in." The homeless and those concerned about them no doubt wish it were all that simple at this end of the century. □

REVIEWERS

PATRICIA A. O'CONNELL's *reviews have appeared in various periodicals, including the* New York Times Book Review.

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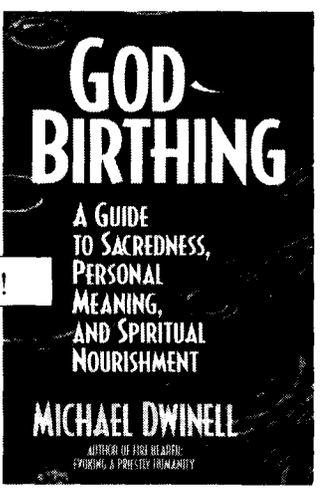

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LISTENING TO ARAB VOICES

SANDCASTLES
The Arabs in Search of the Modern World
Milton Viorst
Alfred A. Knopf, $25, 415 pp.

Raymond A. Schroth

Each day the news from the Arab world gets better—then worse, and then better again, and then.... Rather, it becomes more *pathetic*—in the original sense of suffering which moves the emotions. A massacre, a retaliation. One day, Clyde Haberman tells a love story in the *New York Times* (May 2) of an Arab man and a Jewish woman, both Israelis, who courted, and married—she, pregnant with the Arab's child, left her Jewish husband and took her new husband's religion—only to have her killed when an Islamic militant blew up her bus on April 6. At her grave, an uncle remarked that God had punished her for marrying an Arab.

A few days later (May 5), Haberman compares the Gaza-Jericho self-rule agreement to a divorce in which the separated couple must keep living in the same house.

To anyone who travels in the Arab world and listens to both Arabs and Jews, this metaphor of intimacy, of the marriage paradoxically both meant-to-be yet doomed-to-be-broken, rings true. A look at the map, plus some political and economic vision, suggests that the Arab states and Israel should "marry"; yet a hundred forces—not just the Arab-Israeli conflict—are pulling them apart.

I returned from a month-long Arab-sponsored trip to Jordan and Syria last summer, and a visit on my own to Iraq and Jordan the year before, starved for a rational discussion of questions distorted by generations of accumulated hatred. In this context, Milton Viorst's *Sandcastles*, which makes a rich variety of Arab voices—from king to peasant—heard, is welcome indeed. Over the past several years, Viorst has returned again and again on assignment for the *New Yorker* to Iraq, Turkey, Egypt, Syria, Lebanon, Kuwait, Jordan, and the occupied territories. He has reinterviewed his sources, as recently as November 1993, all the while combining the intellectual openness of a good listener and the skepticism of a careful journalist. Viorst himself is Jewish, but he is walking in Arab shoes; his goal—to convey a *feel* for Arab society today. Yet, inevitably, he views this society through the Western liberal tradition, with the assumption that Arab nations must come to terms with the "modern"—meaning Western—world.

Viorst leads us along the crowded alleys of Cairo's Gamaliya, over trash heaps, under pointed arches, past a marble fountain where a middle-aged woman waits to fill her pitcher for the evening's cooking. He is in search of Nobel laureate Nagib Mahfouz, whose novels on urban life only indirectly dare to question an oppressive political system.

And he beautifully captures the "roller-coaster geography" of Amman, with its sparkling white stone houses and clean winding streets, which lead the traveler from one surprise to another. At the Jordanian royal palace he records a statement by Queen Noor which summarizes much of his book: "The problem as we see it is that most Americans don't want to know how we feel."

As an historian, he traces the background of political movements—the post-World War I attempt of the colonial powers to impose the Hashemite dynasty on Jordan, Syria, and Iraq; the fleeting visions of Arab unity—either Egypt's Gamal Abdel Nasser's or Jordan's King Abdullah's; the PLO's transformation from terrorism to participation in the peace process; the originally Christian-inspired Ba'athist movement, with its cry of "unity, freedom, and socialism," which in its attempt to distinguish between Islam as a civilization and as a religion, moved Arab nations one step toward secularism—and toward modernity.

Viorst evaluates each head of state on the basis of how well he has succeeded in leading his country into the modern era. Turkey's Kemal Ataturk, the army officer who in 1922 seized power in Istanbul as the Ottoman Empire collapsed, the authoritarian secularist who transformed a civilization, is, in Viorst's view, a model leader for the Arab world. Unfortunately the Arabs are usually stuck with a Nasser or a Saddam Hussein, secularists "whose attraction to a quick-fix vision of grandeur overrode their commitment to social and intellectual transformation."

Many of Viorst's best voices are lesser-known people in whose battered homes in Beirut or Gaza or Kuwait he drinks coffee and, Studs Terkel-like, lets them talk.

A few days before Viorst approached Abu Zaida in Gaza, Israeli soldiers had just demolished his house—one of five hundred leveled in the first three years of the *intifada*. Of Zaida's nine children, two had been arrested for their political activities; so the family was to be punished for their crimes. When the troops came in the morning they had Abu Zaida move all the furniture into the kitchen, which, they said, would be allowed to stand. Then they came back that night and destroyed the kitchen. But Abu was still proud of his sons.

In Kuwait, Viorst discovers Suleiman Al-Shaheen, an undersecretary of foreign affairs, who, traumatized by the effects of the Iraqi invasion, is now torn between the values of Arab sovereignty, which implies Kuwaitis' local right to use their riches as they choose, and his realization that other nations—referring to the Palestinians whom they ruthlessly expelled after the war—have suffered longer, more painful occupations. "We use money," he says, "to provide physical gratification; it's the only way we know."

Sandcastles' potentially most controversial passages are the Jordan-Kuwait-Iraq chapters where, although he acknowledges he has not come up with a "smoking gun," Viorst builds a circumstantial case that Jordan's King Hussein was close to a diplomatic solution, blocked by President George Bush and Egypt's President Hosni Mubarak, that would have led to Iraq's withdrawal from Kuwait.

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According to this scenario, the Bush administration persuaded Kuwait to so harden its bargaining position in the Iraq-Kuwait economic war, where Kuwait's lowering oil prices were wrecking Iraq's economy, that Saddam was goaded, "shamed," or "trapped" into invading.

Iraqi foreign minister Tariq Aziz, who Viorst, having checked Aziz's testimony with other sources, is convinced is a credible person, told Viorst, "I'm not a strong believer in conspiracies, but they do exist....War seems to come, whatever we do. It seems to be our historical tradition to suffer and to fail."

Aziz's statement is both a window into the Arab mind and a bump into the wall that makes rational dialogue so hard to come by. After a session in Amman last summer between a delegation of visiting professors and high Jordanian officials, during which a member of the Muslim Brotherhood repeatedly condemned the United States for its "double standard" of punishing Iraq's aggression but not Israel's or Serbia's, a Jordanian official said to me privately, "The trouble with the Arabs is that they blame everyone else for their problems."

Viorst is caught in the paradox of his own position. He respects the Arabs, and supports their right to the occupied territories; yet he must still hold them largely responsible for their unsatisfactory progress, for the "sandcastle" fragility of their community. The flaw, he suggests, is Islam itself as an intellectual tradition, a system which holds that learning is fixed, where students resist going beyond the book and thus remain walled off from rationalism, from the Renaissance and the Enlightenment, by a fundamentalism that blames the West for every social ill.

A permanently closed mind is a major obstacle. It is as if the wedding guest had discovered a deep fault in one of the spouses and returned home depressed about the new couple's future. Viorst rescues his journey from a discouraging return home by giving the last word to King Hussein. In an earlier visit the king had wondered how the Israelis, having suffered so much, could inflict such suffering on others. In the Epilogue, he interprets the Koran to allow for a Jewish state, and concludes that not the Israelis but the Arabs themselves, with their doubts about their own self-worth, threaten the Arab future.

The chances are that tomorrow's paper will have some good news from the Middle East; and then the day after tomorrow.... □

TOUGH READ, GOOD SENSE

THE CONSTITUTION IN THE COURTS
Law or Politics?
Michael J. Perry
Oxford University Press, $35, 277 pp.

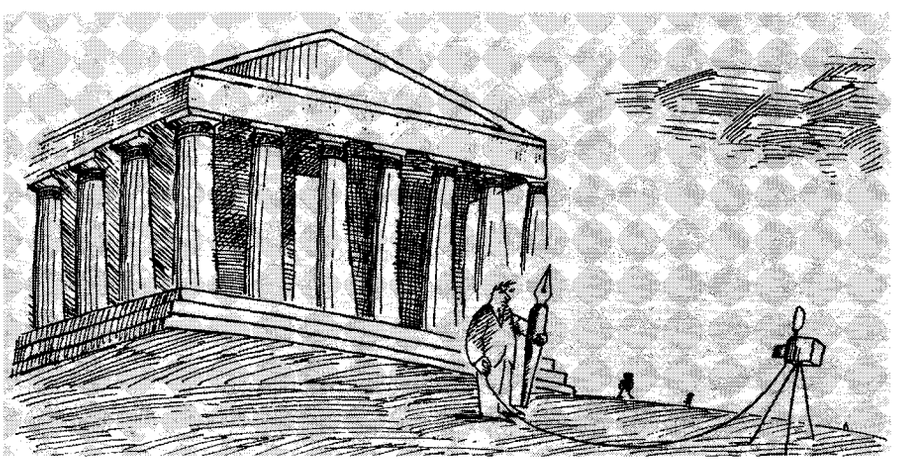
Wilson Carey McWilliams

In contemporary intellectual discussions of American jurisprudence, Michael Perry—the Trismens Professor of Law at Northwestern University and the author of such important books as *Morality, Politics, and Law* and *Love and Power*—is a major voice. Engrossed with political life as a moral phenomenon, Perry is an often surprising thinker who resists the shibboleths of the time. He takes faith seriously, for a wonder. And while *The Constitution in the Courts* criticizes Robert Bork's complaint against the "politicization" of law, Perry frames the argument that law—especially constitutional law—is a *kind* of politics in a way calculated to bother Bork's liberal critics.

A word of warning: Perry's prose is abstract and labored, academic in the worst sense; reading Perry often seems like taking a long walk through wet clay. For all that, the effort will be rewarding for anyone who cares about the Constitution and its future.

Perry begins with the observation that limited, constitutional government presumes rules which can be changed only with difficulty, if at all; some "originalist" restrictions are inherent in the nature of the thing. In specifically democratic constitutionalism, Perry equates original intent with the thinking of those who represented the people when the rule was enacted, especially as evinced in the text. And, Perry indicates, if original intent is not regarded as authoritative or cannot be determined, the democratic consequence is not to secure the rights of the oppressed, but to subject constitutional interpretation to majority rule.

Nevertheless, in Perry's legal politics, there is ample room for an active judiciary. His principles of interpretation are broadly Kantian, emphasizing the primacy of the original norm, as distinct from the ways in which that "directive" is "specified" in practice. Where the authors of the Constitution were more or less explicit about a specification, Perry argues, we ought to defer, but absent such clear guides, first principles control. While many of the authors of the Fourteenth



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Amendment thought it compatible with segregated schools, the text does not articulate this view. Rather, it reflects a norm of civic equality that, on Perry's reading, forbids discrimination on the basis of any trait irrelevant to one's "status as a human being," and to which the modern Court has properly appealed.

There is a risk that Perry's method can slide into a kind of judicial open season. Perry is reaching pretty far, for example, when he argues that, despite the references to capital crimes in the Constitution, judges can legitimately include the death penalty among "cruel and unusual punishments" because the framers did not specifically "constitutionalize" it. And Perry allows judges even more space for maneuver because there often is more than one plausible reading of an original norm, just as frequently as there are reasonable disagreements about how to specify a principle in particular contexts.

Moreover, judges differ in how aggressively they think courts ought to act. As Perry notes, minimalism—the conviction that courts ought, wherever possible, to defer to elected officials—is distinct from a belief in the authority of original intent. Judge Bork adheres to both doctrines, according to his lights, but Justice Frankfurter, the personification of minimalism, was anything but an originalist, while where the First Amendment was concerned, Justice Black's activism was rooted in his devotion to the pure text. Still, democratic constitutionalism sets limits to minimalism: it implies a distrust of majorities and the belief that a people sometimes needs to be instructed in first principles. Like most Americans, Perry holds that courts, faults and all, are the best means of protecting democracy's foundations, but he worries that we may rely on them too much. He suggests, in fact, that federal judges serve for terms rather than for life, and even that court decisions be subject to legislative override, "perhaps utopian" notions that express an attitude more than a realistic program.

The practical implications of Perry's exegetics are better illustrated by his discussion of the Fourteenth Amendment, which rests on the observation that the "privileges and immunities" clause, originally intended as a relatively robust mandate for equality, was emaciated by the interpretations of the nineteenth-century Supreme Court. Respecting those mistaken precedents, yet devoted to civic equality, the modern Court has expanded and overused the "due process" and "equal protection" clauses. Perry excuses this tendency because the Court's *goal* is sanctioned by the "privileges" clause, rightly understood. Yet Perry's own argument shows that constitutionalism differs from nobly aspiring government in its devotion to *forms*; Perry's philosophic idealism and his constitutionalism are necessarily uneasy allies.

For instance, Perry argues that laws against homosexual sodomy (as opposed to prohibitions on sodomy in general) discriminate impermissibly because they presume the inferiority of homosexuals as human beings. But, however unwise or unjust, laws forbidding homosexual acts do not axiomatically pass judgment on homosexuals as persons; the relationship between personhood, sexual orientation, and sexual conduct is more complicated than that. In its gentle and generous way, Perry's reasoning blurs the line between souls and deeds, a distinction vital to constitutional equality.

Similarly, Perry contends that anti-abortion laws—at least, if extended to pregnancies resulting from rape and incest—can be read as imputing a "lesser humanity" to women because these rules would not have been made "but for the fact that the condition affects only women." Conceding that this is difficult to prove, Perry argues that there is "good reason" to believe that "sex-selective sympathy and indifference" are a necessary condition for much legislation. This assertion seems to rest on Judge Richard Posner's comment that "many" opponents of abortion are moved by "antifeminism," an observation that falls a long way short of Perry's claim. As this suggests, in accommodating judicial activism, Perry risks stretching the category of reasonable disagreement into the shapelessness he set out to avoid.

Still, Perry's argument contains its own corrective, pointing us back to first things, and especially to the meaning of constitutional democracy. And it is Perry's special grace to treat politics with a high dignity it deserves and rarely receives. □

CORRESPONDENCE

(Continued from page 2)

dent Nixon on national television.

2. Nixon's 1968 "Southern strategy" was "divisive" only in the sense that all elections are divisive: the candidates divide up the voters and states to determine the winner.

3. Alger Hiss's reputation was destroyed, not by Nixon, but by the testimony of Whittaker Chambers and the physical evidence (State Department cables, microfilm, an old typewriter, etc.), which convinced a jury that Hiss had perjured himself.

4. Nixon's detente with the Soviets and opening to China did not contradict his longstanding anticommunism; he simply realized that the rift between the two Communist great powers could be exploited by the U.S. to hinder the expansion of either of them.

5. In all of Lersky's references to Indochina nowhere is there any admission of the real conditions of "peace" there. From 1975 to 1979, 1 to 2 million people died of unnatural causes in Cambodia alone (of a total population of 7.1 million). During this same "peace," new expressions entered the American lexicon: "autogenocide"; "killing field"; "boat people." Former South Vietnamese soldiers languished for up to thirteen years in "re-education centers" and other gulags. When Lersky credits his war opponents with "saving lives," one has to question his judgment and his arithmetic. RICHARD ROWLEY

The author replies:

Taking Mr. Rowley's points as he raises them:

1. When the TV announcement was made, the invasion had already begun, and that was two days after Secretary of State William P. Rogers had assured the Senate Foreign Relations Committee that no such action was contemplated. The shock of a widened war in the face of Nixon's repeated promises to seek a negotiated settlement produced a new round of national protests (including the one at Kent State), along with the Senate's first-ever action

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(the Cooper-Church Amendment) aimed at limiting presidential stewardship of a war in progress.

2. Nixon was neither the first nor the last president or candidate to employ racism in quest of political gain. That doesn't make such political strategies morally defensible.

3. My essay did not mention Alger Hiss or anyone else by name. Its reference to destroyed reputations and lives was intended to be more generic, covering the sundry loyal Americans impugned over the years by Joe McCarthy and his Nixonian acolyte.

4. My problem with the China opening was not the act itself but (to quote my piece) "the twenty years of political charlatanism" that preceded it. Domestically, Nixon saw Communists everywhere, especially among his political opponents, and branded them as evil subversives. That stance sabotaged the possibility of rational policymaking toward the Communist powers—except, as it turned out, for himself. Given the timing, moreover, one can be forgiven the suspicion that Nixon was moved not solely by geopolitical insight but also by the desire to divert national attention from a certain "third-rate burglary."

5. The Cambodian tragedy was monumental, though its stage was set at least in part by Nixon's prolonged propping up of the ineffectual Lon Nol government. In any event, given the impossibility by 1973 of a new and greater U.S. war, I don't see how anyone in Washington could have prevented the tragedy. Blaming the carnage on the domestic antiwar movement is simply absurd.

It is relevant here to quote Phil Berrigan's statement to the court on the day of the Catonsville Nine sentencing, which occurred after Nixon's election but before his inauguration:

"We have but one message for our leaders, in whose manicured hands the power of this land lies. Lead us! Lead us by giving people justice, and there will be no need to break the law, no need for civil disobedience. Let President Nixon do what his predecessors failed to do—let him obey the rich less and the people more; let him think less of the privileged and more of the poor; less of America and more of the world. Let our bishops and religious superiors think less of buildings and more of people; less of casuistry and more of the beatitudes; less of comfort and more of poverty; less of authority and more of service. Let lawmakers, judges, and lawyers think less of law and more of justice; less of legal rituals and more of human rights."

Nixon was hardly alone in ignoring this advice, but his failure hurt more than that of most of the others. JOE LERSKY

No body there

West New York, N.J.

To the Editors: The flaw in Robert G. Hoyt's argument opposing health care abortion funding ["Subsidies for Abortion?", May 20] is his statement that a woman's right to control her body is lost "when the fate of another body is in question." It is quite clear that in the early stages of pregnancy a group of that woman's own developing cells, without a sex, a brain, or a soul, cannot possibly be another "body."

The question is much more complex, and to many (not necessarily Hoyt), such opposition is really a method to enforce the choice of strangers, forcing women to undergo pregnancy against their will, and to spend their lives raising children they cannot afford, because they happen to be poor, often with existing children—even though lives are lost and other lives are ruined.

Such coerced motherhood is an immoral horror. Society has the right to protect women and itself from unwanted pregnancies and children, on a strictly voluntary basis, and I know of no purer exercise of conscience than that of a potential mother, deciding this most intimate of questions. JOHN TOMASIN

From the editors: Robert G. Hoyt comments on this letter in a "Notebook," page 4.

Sex & salvation

Summit, N.J.

To the Editors: The church's refusal to use gender-inclusive language in the new catechism ["The Manly Version of Catholicism," June 3] may be connected with its refusal to consider ordination of women.

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Take John 11:25, for example. Jesus is quoted as having used a masculine pronoun to say, "He who believes in me, though he die, yet he shall live." Presumably, Jesus does not intend to confine eternal life to men. But to admit this by using gender-inclusive language opens the door to the possibility that other situations that are exclusively male on their face in the text, such as the priesthood, are in fact open to both genders.

WILLIAM M. PETERSEN

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Sleepless in Cincinnati

KATHLEEN McGARVEY HIDY

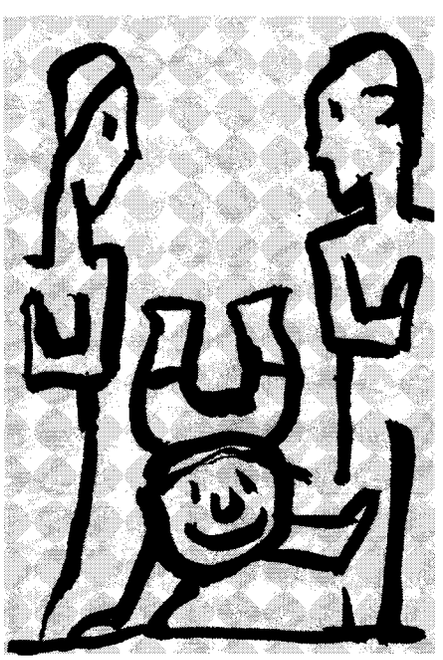
My car seems to glide effortlessly and of its own volition through the church parking lot. Sleepless in Cincinnati some seven months since the birth of our first child, I too am gliding through the new world of parenthood. Often I find myself semiconscious from lack of sleep, caused not so much by a wakeful baby as by my own dreams and those noises from the nursery which puncture the night and make us wonder what bidding will follow.

This particular morning I am off to 7:45 A.M. Mass. Fulfilling our Sunday obligation has taken on heroic proportions since our arrival in baby land. Often we tag-team attendance at Sunday Masses: me at 7:45, my husband at 10:30. When we do bring the baby and attend *en famille* (as we have done on occasion), it resembles the Exodus. We scour the house grabbing all essentials in sight—bottles, diapers, pacifiers, and toys (emphasis on plural)—and, of course, the ubiquitous car seat/infant carrier. If child restraint had been a concern in thirteenth century B.C., no one would have fled the Egyptians in time. When we arrive at Mass, exhausted from our preparations, our adorable son proceeds to settle into church with a vengeance. Ten furious minutes of play, then gurgling at the pew ahead of us, squirming, a slowly building howl hovers on the horizon, quick fumbling, retrieval, a swift snatch of the bottle by our greedy little songbird, belch, and the Second Reading is not yet underway. You get the picture.

On the Sunday morning in question, I am grateful for the relative quiet of the radio talk show I have tuned into. Fuzzy still from the night and the early morning rigors with the baby, at first I cannot focus on the topic of the show, although it appears to be parenting.

In my previous life, parenting was a purely theoretical construct, an idea naked of any experience and clothed only in analogies. To me, parenting was like...being an aunt, a Big Sister, a baby-sitter. Though theoretical, my notions were nonetheless extensive and quite formed. I had opinions on everything from attending Mass with your child (I believed in it), to breast-feeding (better for baby), to working outside the home (part-time was clearly the best alternative). As with most expectant parents, these notions started to crumble as the birth of our son approached and then disintegrated into dust with the reality of his arrival. Experience, the mother of all talk shows, is by far the best teacher and we soon discovered that it was wiser to build our new life with its durable lumber.

The talk show heated up just as I angled my car into a parking slot. A caller asked the show's self-described "parenting expert" how to make more time in an already overcrowded schedule for his eleven-year-old son. The expert, touting her new book on "making time for your children," advised the caller and every other parent in radio land to *try* to begin to involve their children in their daily lives. Parenting was not to be regarded (gasp) as a chore or a burden, lest our children catch wind of our annoyance and rebel against us and our well-laid plans for their future successes. Rather, the expert remarked in a measured tone, parenting must become a scheduled part of our already busy-beyond-belief days. Pencil your children in if you want to develop those bonds which last a lifetime. The caller seemed impressed; he enthusiastically thanked the Ph.D. for her advice, saying he thought it "might work."



That's when I pulled the plug, turning off the car engine and wishing I lived on a desert island, far away from radio gurus. Packaged and pureed, their wisdom simply mirrors the society it seeks to satiate. Convinced that parenting is an "activity" that can be "scheduled" into a daily routine, the experts assure us that squeezing time out of our adult day for our children nourishes their craving for parental attention while preserving our craving for adult independence.

Sounds wrong.

While I am new at this thing called parenting and clearly walking where giants have tread, I have learned this much: Children are not boxes to be wrapped or unwrapped when time or interest permits; parenting is not an activity, task, or scheduled event. Our son, all 8 pounds, 2 ounces of him, arrived into our lives completely ready to take over our adult world, imprint it with his presence, and, in the process, allow us, his parents, our own birth of sorts. We are better for his intrusion, and blessed by his insistence that we are indeed his parents...every minute of every day, seven months and counting.

The radio now silent and Mass already begun, I walk slowly through the parking lot toward the church, grateful for the son who waits at home. □

Kathleen McGarvey Hidy is also a lawyer.

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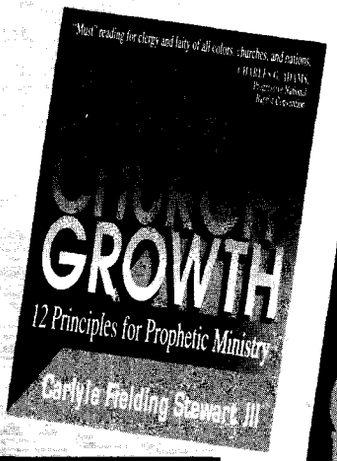
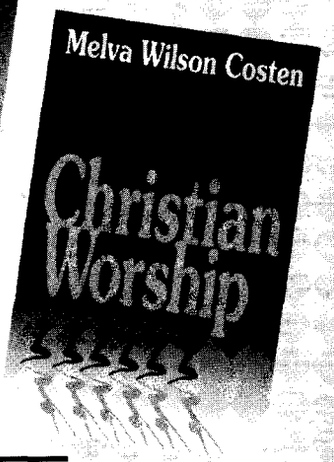
Dynamic Resources for Today's Church





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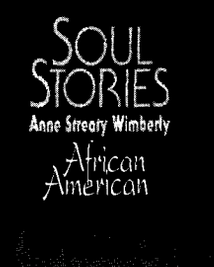

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